

# TABLE OF CONTENTS

## CHAPTER I – GENERAL INTRODUCTION

Article Number	Topic and Subtopics	Page Number
Article 1	Title and Purpose	1
	➤ Section 101 Purpose	1
	➤ Section 102 Enacting Clause	2
	➤ Section 103 Title	2
	➤ Section 104 Interpretation and Correlation of Standards	2
Article 2	Construction of Language and Definitions	3
	➤ Section 200 Construction of Language	3
	➤ Section 201 Definitions (beginning with the letter A)	4
	- 201.01 Accessory Use	4
	- 201.02 Agriculture	4
	- 201.03 Alley	4
	- 201.04 Automobile or Trailer Sales Area	4
	- 201.05 Automobile Service Station	5
	- 201.06 Automobile Wrecking	5
	➤ Section 202 Definitions (beginning with the letter B)	5
	- 202.01 Basement	5
	- 202.02 Board	5
	- 202.03 Building	5
	- 202.04 Building Height	5
	- 202.05 Building Line	5
	➤ Section 203 Definitions (beginning with the letter C)	5
	- 203.01 Commission	5
	➤ Section 204 Definitions (beginning with the letter D)	6
	- 204.01 Development Standards	6
	- 204.02 District	6
	- 204.03 Dwelling	6
	- 204.04 Dwelling Group	6
	- 204.05 Dwelling Units	6
	➤ Section 205 Definitions (beginning with the letter E)	7
	- 205.01 Eating Place #1	7
	- 205.02 Eating Place #2	7
	- 205.03 Eating Place – Carry-Out	7
	- 205.04 Eating Place – Drive-In	7
	- 205.05 Essential Service	7

	- 226.03 Zoning Map	19
Article 3	Zoning Districts, Boundaries, and Maps	20
	➤ Section 301 Districts Established	20
	➤ Section 302 Boundaries	21
	- 302.01 Incorporation	21
	- 302.02 Areas Shown on Map	21
	- 302.03 Rules of Interpretation	21
	➤ Section 303 District Requirements	22
Article 4	"A" Agricultural District and Purpose	23
	➤ Section 400 Intent	23
	➤ Section 401 Principal Permitted Uses	23
	➤ Section 402 Conditional Use	24
	➤ Section 403 Accessory Uses	24
	➤ Section 404 Development Standards	25
Article 5	"R-1" Through "R-4" Single Family Residential Districts	26
	➤ Section 500 Intent	26
	➤ Section 501 Principal Permitted Uses	26
	➤ Section 502 Conditional Use	26
	➤ Section 503 Accessory Uses	27
	➤ Section 504 Development Standards	27
Article 6	"R-5" Two Family Residential District	28
	➤ Section 600 Intent	28
	➤ Section 601 Principal Permitted Uses	28
	➤ Section 602 Conditional Use	28
	➤ Section 603 Accessory Uses	29
	➤ Section 604 Development Standards	29

Article 7	"R-6" and "R-7" Multiple Family Residential District	30
	➤ Section 700 Intent	30
	➤ Section 701 Principal Permitted Uses – "R-6"	30
	➤ Section 702 Principal Permitted Uses – "R-7"	30
	➤ Section 703 Conditional Uses: "R-6" and "R-7"	31
	➤ Section 704 Accessory Uses: "R-6" and "R-7"	31
	➤ Section 705 Development Standards	32
Article 8	"R-8" Mobile Home Residential District	33
	➤ Section 800 Intent	33
	➤ Section 801 Principal Permitted Uses	33
	➤ Section 802 Accessory Uses	33
	➤ Section 803 Developmental Standards	33
	- 803.01 Required Conditions	33
	- 803.02 Required Conditions for Existing Mobile Home Parks	34
Article 9	"OR-1" Office Residential District	35
	➤ Section 900 Intent	35
	➤ Section 901 Principal Permitted Uses	35
	➤ Section 902 Accessory Uses	35
	➤ Section 903 Required Conditions	36
	➤ Section 904 Development Standards	36
Article 10	"O-2" Office District	37
	➤ Section 1000 Intent	37
	➤ Section 1001 Principal Permitted Uses	37
	➤ Section 1002 Conditional Use	38
	➤ Section 1003 Accessory Uses	38
	➤ Section 1004 Development Standards	38

Article 11	"B-1" Neighborhood Business District ➤ Section 1100 Intent ➤ Section 1101 Principal Permitted Uses ➤ Section 1102 Accessory Uses ➤ Section 1103 Required Conditions ➤ Section 1104 Development Standards	39 39 39 39 39 41
Article 12	"B-2" Community Business District ➤ Section 1200 Intent ➤ Section 1201 Principal Permitted Uses ➤ Section 1202 Conditional Use ➤ Section 1203 Accessory Uses ➤ Section 1204 Required Conditions ➤ Section 1205 Development Standards	42 42 42 43 43 43 45
Article 13	"B-3" General Business District ➤ Section 1300 Intent ➤ Section 1301 Principal Permitted Uses ➤ Section 1302 Conditional Use ➤ Section 1303 Accessory Uses ➤ Section 1304 Required Conditions ➤ Section 1305 Development Standards	46 46 46 46 47 48 49
Article 14	"B-4" Expressway Service District ➤ Section 1400 Intent ➤ Section 1401 Principal Permitted Uses ➤ Section 1402 Required Conditions ➤ Section 1403 Development Standards	50 50 50 50 50

Article 15	"S" Specific Use Control	51
	➤ Section 1500 Intent	51
Article 16	"I-1" Light Industrial District	52
	➤ Section 1600 Intent	52
	➤ Section 1601 Principal Permitted Uses	52
	➤ Section 1602 Conditional Use	54
	➤ Section 1603 Accessory Uses	54
	➤ Section 1604 Required Conditions	54
	➤ Section 1605 Development Standards	57
Article 17	"I-2" General Industrial District	58
	➤ Section 1700 Intent	58
	➤ Section 1701 Principal Permitted Uses	58
	➤ Section 1702 Accessory Uses	59
	➤ Section 1703 Required Conditions	59
	➤ Section 1704 Development Standards	61
Article 18	"I-3" Heavy Industrial District	62
	➤ Section 1800 Intent	62
	➤ Section 1801 Principal Permitted Uses	62
	➤ Section 1802 Conditional Use	63
	➤ Section 1803 Conditions for Conditional Uses	63
	➤ Section 1804 Accessory Uses	64
	➤ Section 1805 Required Conditions	64
	➤ Section 1806 Development Standards	66

Article 26	Schedule of Regulations: Site Plan Requirements	89
	➤ Section 2600 Schedule Limiting Height, Bulk, Density, and Area by Zoning District	89
	➤ Schedule of Regulations Table	90
	- 2600.01 Notes to Schedule	91
	➤ Section 2601 Subdivision Open Space Plan	92
	- 2601.01 Intent	92
	- 2601.02 Procedure	92
	➤ Section 2602 Site Plan Review	93
	- 2602.01 Site Plan	93
	- 2602.02 Site Plan Format	93
	- 2602.03 Site Plan Review	93
Article 27	Existing and Non-Conforming Uses	95
	➤ Section 2701 Conformance Required	95
	➤ Section 2702 Non-Conforming Vacant Lots	95
	- 2702.01 Non-Conforming Lots of Record	95
	- 2702.02 Non-Conforming Vacant Lots in Residential District	95
	- 2702.03 Non-Conforming Vacant Lots in Other Districts	96
	➤ Section 2703 Non-Conforming Structures	96
	- 2703.01 Continuation	96
	- 2703.02 Enlargement, Repair, Alterations	96
	- 2703.03 Damage or Destruction	96
	- 2703.04 Moving	97
	➤ Section 2704 Non-Conforming Uses	97
	- 2704.01 Continuation	97
	- 2704.02 Repair and Maintenance	97
	- 2704.03 Extension and Enlargement	97
	- 2704.04 Damage or Destruction	98
	- 2704.05 Moving	99
	- 2704.06 Change	99
	- 2604.07 Discontinuance	99
	- 2704.08 Non-Conforming Accessory Uses	99
Article 28	Provision Affecting Area, Yards, and Courts	100
	➤ Section 2801 Street Frontage Required	100
	➤ Section 2802 Traffic Visibility Across Corner Lots	100

	➤ Section 2803 Reduction of Area or Space	100
	➤ Section 2804 Off-Street Parking and Loading	100
Article 29	Accessory Uses	101
	➤ Section 2901 Permitted Accessory Uses – Residential, Office, Office-Residential, and Agricultural Districts	101
	➤ Section 2902 Permitted Accessory Uses – Business and Industrial Districts	102
	➤ Section 2903 Accessory Uses Not Permitted – Residential, Office, Office-Residential, and Agricultural Districts	102
	➤ Section 2904 Standards	102
Article 30	Exceptions, Modifications, Interpretations and Exemptions From Zoning Provisions	104
	➤ Section 3001 Application	104
	➤ Section 3002 Height Lines	104
	➤ Section 3003 Corner Lots	104
	➤ Section 3004 Front Yard Exceptions and Modifications	105
	➤ Section 3005 Double Frontage Lots	105
	➤ Section 3006 Side Yard Exceptions or Modifications	105
	➤ Section 3007 Projections Into Required Yards	106
	➤ Section 3008 Fences, Walls, and Hedges	106
	➤ Section 3009 Residential Entrance Way	107
	➤ Section 3010 Essential Services	107
	➤ Section 3011 Unsafe Buildings	107
	➤ Section 3012 Existing Building Permits	107

Article 31	Sign and Billboard Regulations	108
	➤ Section 3101 Permitted Signs for Which No Certificate is Required	108
	➤ Section 3012 Permitted Signs for Which a Certificate is Required	109
	➤ Section 3103 Prohibited Signs and Billboards	111
	➤ Section 3104 Design Standards for Signs and Billboards	112
	➤ Section 3105 Non-Conforming Signs and Billboards	114
	➤ Section 3106 Certificate Required	114
	➤ Section 3107 General Requirements	115
	➤ Section 3108 Governmental Signs Excluded	116
Article 32	Off-Street Loading Areas	117
	➤ Section 3201 Off-Street Loading Spaces Required	117
	➤ Section 3202 Off-Street Loading Requirements	117
	➤ Section 3203 Off-Street Loading Standards	117
Article 33	Off-Street Parking	118
	➤ Section 3301 Off-Street Parking Required	118
	➤ Section 3302 Off-Street Parking Requirements	118
	➤ Section 3303 Off-Street Parking Standards	121
	- 3303.01 General	121
	- 3303.02 Maintenance	123
	- 3303.03 Units of Measurement	125
	- 3303.04 Additions and Extensions	125
	- 3303.05 Mixed Occupancies and Uses Not Specified	126
	- 3306.06 Collective Provision	126
	➤ Section 3304 School Bus Parking	126
	➤ Section 3305 Inoperable and Damaged Cars	126



Article 34	Noise	129
	➤ Section 3401 Method of Measurement	129
	➤ Section 3402 Exemptions	129
	➤ Section 3403 Required Performance Level	129
	➤ Section 3404 Standards in the "B-1" Through "B-4" Business Districts and "I-1" Light Industrial District	130
	➤ Section 3405 Standards in the "I-2" General Industrial District and "PD-4" Planned Industrial Park District	131
	➤ Section 3406 Standards in the "I-3" Heavy Industrial District	132
Article 35	Golf Courses, Swimming Pools, Tennis Courts, Miniature Golf Courses, Driving Ranges and Other Similar Recreational Uses	133
	➤ Section 3501 Required Conditions	133
Article 36	Residential Condominium Regulations	134
Article 37	Uses Not Otherwise Included Within a Specific Use District	135
	➤ Section 3700 Intent	135
	➤ Section 3701 Outdoor Theaters	135
	➤ Section 3702 Commercial Television and Radio Towers and Public Utility Microwaves and Public Utility Television Transmitting Towers	135
	➤ Section 3703 Airports and Related Uses	136
	➤ Section 3704 Oil and Gas Wells	136
	- 3704.01	136
	- 3704.02 Required Conditions	136
	- 3704.03	137
	- 3704.04	137
	➤ Section 3705 Refuse (Solid Waste) Disposal Sites	137
	- 3705.01 Application, Review, and Permit Renewal Procedure	138
	- 3705.02 Required Conditions	139

Article 38	Enforcement Penalties	140
	➤ Section 3801 Enforcement by the Zoning Inspector	140
	➤ Section 3802 Zoning Certificates	140
	- 3802.01 Application for Zoning Certificate	140
	- 3802.02 Issuance of Zoning Certificate	141
	- 3802.03	141
	➤ Section 3803 Violations – Remedies	141
	➤ Section 3804 Violations and Penalties	141
	➤ Section 3805 Fees	142
Article 39	Board of Zoning Appeals	143
	➤ Section 3901 Appointment	143
	- 3901.01 Establishment	143
	- 3901.02 Removal	143
	➤ Section 3902 Organization	143
	➤ Section 3903 Jurisdiction	144
	➤ Section 3904	145
	- 3904.01 Authorization	145
	- 3904.02 Notice of Appeal	145
	- 3904.03 Hearing on Appeal	145
	- 3904.04 Decision on Appeals	145
	➤ Section 3905 Procedure for Obtaining a Variance	146
	- 3905.01 Authorization	146
	- 3905.02 Application for Variance	146
	- 3905.03 Information for Zoning Commission	147
	- 3905.04 Hearing on Variance	147
	- 3905.05 Standards for Variances	147
	- 3905.06 Conditions and Resolutions	148
	- 3905.07 Decision on Variance	148
	- 3905.08 Period of Validity	148
	➤ Section 3906 Procedure for Obtaining a Conditional Use Certificate	148
	- 3906.01 Authorization	148
	- 3906.02 Application for Conditional Use	149
	- 3906.03 Information for Township Zoning Commission	150
	- 3906.04 Hearing on Conditional Use	150
	- 3906.05 Standards for Conditional Use	150
	- 3906.06 Conditions and Restrictions	151

	- 3906.07 Period of Validity	151
Article 40	Township Zoning Commission District Changes and Resolution Amendments	152
	➤ Section 4001 Township Zoning Commission	152
	- 4001.01 Organization	152
	- 4001.02 Removal	152
	➤ Section 4002 District Changes and Resolution Amendments	152
	- 4002.01 Procedure for District Changes	152
	- 4002.02 Written Application	154
Article 41	Land Use Intensity	156
	➤ Section 4101 Land Use Intensity Scale	156
	➤ Section 4102 Application of Land Use Intensity (LUI)	157
Article 42	When Effective; Repeal of Conflicting Resolution; Validity	160
	➤ Section 4201 When Effective	160
	➤ Section 4202 Repeal of Conflicting Resolution	160
	➤ Section 4203 Validity	160



# **CHAPTER I**

## **GENERAL INTRODUCTION**



# ARTICLE I TITLE AND PURPOSE

## Section 101 Purpose

A resolution establishing comprehensive Zoning Regulations for the unincorporated area of Springfield Township, Clark County, Ohio and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of Chapter 519, Ohio Revised Code.

Whereas, Chapter 519, Ohio Revised Code, empowers the Township to enact a Zoning Resolution and to provide for its administration, enforcement, and amendment, and

Whereas, the Springfield Township Trustees deem it necessary for the purpose of promoting the health, safety, morals, or general welfare of the Township to enact such a Resolution, and

Whereas, the Trustees, pursuant to the provisions of Chapter 519.04 of the Ohio Revised Code, has appointed a Zoning Commission to recommend the boundaries of the various districts and appropriate regulations to be enforced therein, and

Whereas, the Zoning Commission has divided the Township into districts and has prepared regulations pertaining to such districts in order to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the over-crowding of land; to avoid the undue concentration of population; to facilitate the adequate provision for transportation, water, sewage, schools, parks, and other public requirements, and

Whereas, the Zoning Commission has given reasonable consideration among other things to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings, and encouraging the most appropriate use of land throughout the unincorporated area of the Township, and

Whereas, the Zoning Commission and Township Trustees have given due public notice of hearings relating to zoning districts, regulations, and restrictions, and has held such public hearings, and

Whereas, all requirements of Chapter 519 of the Ohio Revised Code have been met.

**Section 102 Enacting Clause**

Now therefore be it resolved by the people of the Township of Springfield, County of Clark, State of Ohio all that follows herein:

**Section 103 Title**

This Resolution shall be known and may be cited as the Springfield Township Zoning Resolution.

**Section 104 Interpretation and Correlation of Standards**

In their interpretation and application, the provisions of this Zoning Resolution shall be held to be minimum requirements. Whenever the requirements of this Resolution are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the highest standards shall govern.



## ARTICLE 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

### Section 200 Construction of Language

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text of this Resolution and any caption or illustration, the text shall control.
- C. The word *shall* is always mandatory and not discretionary. The word *may* is permissive.
- D. Words used in the present tense shall include the future tense, the singular number shall include the plural, and the plural number includes the singular, unless the context clearly indicates the contrary.
- E. A *building* or *structure* includes any part thereof.
- F. The words *used* or *occupied* include the words *intended*, *designed*, *arranged* or *maintained*.
- G. The word *person* includes an individual, firm, association, organization, partnership, trust, company, or any other similar entity.
- H. The word *lot* includes the words *plot* or *parcel*.
- I. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction *and*, *or*, *either..or*, the conjunction shall be interpreted as follows:
  - 1. *And* indicates that all the connected items, conditions, provisions, or events shall apply.
  - 2. *Or* indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - 3. *Either..or* indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

- J. Terms not herein defined shall have the meaning customarily assigned to them.

**Section 201 Definitions (beginning with the letter A)**

**201.01 Accessory Use**

Any purpose for which a building, structure, or a tract of land may be designed, arranged, intended, maintained, or occupied which:

- A. Is customarily incidental and subordinate in area, extent or purpose to the principal building, structure or use which it serves.
- B. Is located on the same zoning lot as the principal building, structure or use, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere other than on the same zoning lot with the building or use served under Section 3303.01E of this Resolution.

**201.02 Agriculture**

The use of a tract of land for growing crops in the open, dairying, pasturage, horticulture, floriculture, and structures necessary for carrying out farming operations, and the residence of the person who owns or operates the farm, and the family thereof; provided, however, such agricultural use shall not include the following uses.

- A. The maintenance and operation of commercial greenhouses or hydroponics farms, except in zoning districts in which such uses are expressly permitted.
- B. Wholesale or retail sales as accessory use, unless the same are specifically permitted by this Resolution.
- C. The feeding or sheltering of animals or poultry in penned enclosures within one hundred (100) feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals, or the operation or maintenance of a commercial stockyard or feed yard.

**201.03 Alley**

A dedicated public right-of-way, other than a street, that affords a secondary means of access to abutting property.

**201.04 Automobile or Trailer Sales Area**

An open area, other than a street, used for the display, sale or rental of new or used motor vehicles or trailers in operable condition; and where no repair work is done.

#### **201.05 Automobile Service Station**

A structure and surrounding land used for the storage and sale of petroleum fuel, primarily to passenger vehicles, and for accessories or supplies; the incidental washing of motor vehicles and the performing of tune-ups, tire and brake changing and repair.

#### **201.06 Automobile Wrecking**

The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, non-operating or wrecked vehicles or their parts.

### **Section 202 Definitions (beginning with letter B)**

#### **202.01 Basement**

That portion of a building located partly underground but having more than one-half (1/2) of its clear floor-to-ceiling height below the average grade of the adjoining ground.

#### **202.02 Board**

The Board of Zoning Appeals of Springfield Township.

#### **202.03 Building**

Any covered structure, either temporary or permanent, having a room supported by columns or walls and intended for the shelter or enclosure of persons, animals, chattels, or moveable property of any kind.

#### **202.04 Building Height**

The vertical distance from the average grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof; or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

#### **202.05 Building Line**

A line parallel to the street right-of-way line at any story level of a building and representing the distance which all or any part of the building is to be set back from said right-of-way, except as specified in Article 29.

### **Section 203 Definitions (beginning with letter C)**

#### **203.01 Commission**

The Springfield Township Zoning Commission of Clark County, Ohio.

## **Section 204 Definitions (beginning with letter D)**

### **204.01 Development Standards**

Standards controlling the size of structures and the relationships of structures and uses to each other and to open areas and lot lines. Development standards include regulations controlling maximum height, minimum lot area, minimum lot frontage, minimum size of yards and setbacks, maximum lot coverage and maximum floor area ratio.

### **204.02 District**

A portion of the unincorporated area of Springfield Township within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Zoning Resolution.

### **204.03 Dwelling**

Any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer, trailer coach, or other temporary or transient structure or facility.

#### **A. Single Family**

A building occupied or constructed to be occupied exclusively for residential purposes by one (1) family or housekeeping unit.

#### **B. Two Family**

A building occupied or constructed to be occupied exclusively by not more than two (2) families or housekeeping units.

#### **C. Multiple**

A building or portion thereof occupied or constructed to be occupied by three (3) or more families or housekeeping units.

### **204.04 Dwelling Group**

A group of two (2) or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.

### **204.05 Dwelling Units**

One room, or a suite of two (2) or more rooms, designed for or used by one family or housekeeping unit for living and sleeping purposes and which includes permanently installed cooking and lawfully required sanitary facilities.

**Section 205 Definitions (beginning with letter E)**

**205.01 Eating Place #1**

An establishment, other than a dining room operated by a hotel, motel, or private club, offering food and beverage, which may include liquor, beer and wine, if licensed by the State of Ohio, for consumption only inside the building.

**205.02 Eating Place #2**

An establishment having the attributes of an Eating Place #1, and which also provides live entertainment.

**205.03 Eating Place – Carry-Out**

An establishment offering food and beverages, which may include liquor, beer and wine, if licensed by the State of Ohio, where the food and beverages are dispensed at the counter for consumption within the building or off the premises.

**205.04 Eating Place – Drive-In**

An establishment offering food and beverages, which may include liquor, beer and wine, if licensed by the State of Ohio, where the food and beverages are served directly to persons while in motor vehicles; or where the food and beverages are dispensed at the counter for consumption on or off the premises.

**205.05 Essential Service**

The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement by public utilities or county or other governmental agencies, of underground or overhead gas, electrical, steam or water generation, transmission or distribution systems; including buildings, structures, towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment or accessories and the use of land in connection therewith, for the furnishing of adequate service by such public utilities or county or other governmental agencies or for the public health, safety, morals, and general welfare.

**Section 206 Definitions (beginning with the letter F)**

**206.01 Family**

Two (2) or more persons living in the same household who are related to each other by blood, marriage, or adoption, but not including a group occupying a boarding house, lodging house or motel, fraternity or sorority house.

## **206.02 Floor Area (gross)**

The sum of the gross horizontal area of all the floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. Floor area shall include the area of basements when used for residential, commercial, or industrial purposes, but shall not include a basement or portion of a basement used for storage or the housing of mechanical or central heating equipment. In calculating floor area, the following shall not be included:

- A. Attic space providing structural head room of less than 7' 6" (seven [7] feet, six [6] inches).
- B. Uncovered steps.
- C. Terraces, breezeways and open porches.
- D. Automobile parking space in a basement or private garage.
- E. Accessory off-street loading berths, but not to exceed twice the space required by the provisions of this Resolution.

## **206.03 Floor Area Ratio**

The floor area ratio of the building or other structure on any lot is determined by dividing the gross floor area of such building or structure by the area of the lot on which the building or structure is located. When more than one (1) building or structure is located on a lot, then the floor area ratio is determined by dividing the total floor area of all buildings or structures by the area of the lot. The floor area ratio requirements, as set forth under each zoning district, shall determine the maximum floor area allowable for buildings or other structures, in direct ratio to the gross area of the lot.

## **206.04 Frontage**

See Lot Frontage Subsection 212.10.

## **Section 207 Definitions (beginning with letter G)**

### **207.01 Garbage**

Garbage shall be interpreted to mean all putrescible wastes including vegetable, animal, offal, and carcasses of small dead animals; but does not include human excreta; sewage and other water-carried wastes.

### **207.02 Grade**

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

### **207.03 Greenbelt**

A strip of land parallel to and extending inwardly from the lot lines or right-of-way lines. Said Greenbelt shall be maintained at all times in grass, trees, shrubs, or plantings, and no structures, parking areas or signs shall be permitted.

## **Section 208 Definitions (beginning with letter H)**

### **208.01 Home Occupation**

A home occupation shall be an occupation carried on within a dwelling unit by members of the family residing therein and provided:

- A. Said occupation does not require a state or local license and/or inspection.
- B. It does not occupy more than two hundred (200) square feet of floor area within the dwelling unit and does not require alteration of the structure.
- C. Signs for home occupations are subject to regulations in Article 31.
- D. The only mechanical equipment installed or used is that which is normally used for domestic or household purposes.

### **208.02 Housekeeping Unit**

One (1) or more persons living in a dwelling who are not a family.

## **Section 209 Definitions (beginning with letter I)**

## **Section 210 Definitions (beginning with letter J)**

### **210.01 Junk**

Old or scrap copper, brass, rope, rags, batteries, paper, rubber; junked, dismantled or wrecked automobiles or parts thereof; iron, steel, and other old or scrap ferrous or non-ferrous materials which are not held for sale or remelting purposes by an establishment having facilities for processing such materials.

### **210.02 Junk Yard**

An establishment or place of business (other than an establishment having facilities for processing iron, steel, or non-ferrous scrap and whose principal product is scrap iron and steel or non-ferrous scrap for sale for remelting purposes), which is maintained or operated for the purpose of storing, keeping, buying or selling junk; or for the maintenance or operation of an automobile graveyard, except an establishment or place

where automobiles, wrecked or otherwise, are held or impounded for a period not to exceed ninety (90) days exclusively for storage, repair, or resale without alteration.

**Section 211 Definitions (beginning with letter K)**

**211.01 Kennel or Animal Shelter**

Any structure or runway in which dogs or other small animals are kept for compensation or sale.

**Section 212 Definitions (beginning with letter L)**

**212.01 Land Use Plan**

The long-range plan for the desirable use of land within the unincorporated area of Clark County as officially adopted and as amended from time to time by the Planning Commission.

**212.02 Landscaping**

The improvement of open areas by the planting and maintenance of trees, bushes, flower gardens, grass, and other vegetation.

**212.03 Livability Space**

Part of the open space as found in planned developments which includes all land not covered by roof or devoted to streets, easements of access, and parking.

**212.04 Live Entertainment**

Any entertainment provided in eating places, other than music mechanically produced by jukeboxes or other devices for the disseminating of recorded music.

**212.05 Loading Space**

An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials; and which abuts upon a street, alley or other appropriate means of access.

**212.06 Lot**

A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and its accessory buildings and uses, including all open spaces required by this Zoning Resolution, and having frontage on a public street. The word *lot* includes the words *plot* or *parcel*.



A. Corner

A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, and in either case forming an interior angle of one hundred thirty-five (135) degrees or less.

B. Double Frontage. Through Lot

A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

C. Interior

A lot other than a corner lot.

**212.07 Lot Area**

The computed area contained within the lot lines.

**212.08 Lot Coverage**

That percentage of a lot which, when viewed directly from above, would be covered by a structure or structures, or any part thereof, excluding projecting roof eaves.

**212.09 Lot Depth**

The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines. In no case will the lot depth be less than its width.

**212.10 Lot Frontage**

The distance between the side lot lines, measured by a line drawn parallel with the front lot line at a point of required minimum front yard depth.

**212.11 Lot Lines**

A. Front

A street right-of-way line forming the boundary of a lot. On a corner lot, the street right-of-way line with the least amount of street frontage shall be the front lot line.

B. Rear

The lot line that is most distant from, and is, or is most nearly parallel to, the front lot line. If a rear lot line is less than fifteen

(15) feet long, or if the lot comes to a point at the rear, fifteen (15) feet long lying wholly within the lot, parallel to the front lot line.

**C. Side**

A lot line which is neither a front lot line nor a rear lot line. On a corner lot, the street right-of-way line with the greatest amount of street frontage shall be a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

**212.12 Lot of Record**

A lot which is part of a subdivision, the plot of which has been recorded in the Office of the Recorder of Clark County; or a parcel of land, the deed to which was of record as of the effective date of the zoning plan.

**Section 213 Definitions (beginning with letter M)**

**213.01 Manufacturing**

The assembling, altering, converting, fabricating, finishing, processing or treatment of a product.

**213.02 Mobile Home – see Trailer (house)**

**213.03 Motel/Motor Hotel**

A series of attached, semi-detached or detached rental units containing a bedroom, bathroom, and closet space. Units shall provide for overnight lodging and are offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle.

**Section 214 Definitions (beginning with letter N)**

**214.01 Non-Conforming Use of Buildings and Land**

The lawful use of any dwelling, building, or structure and of any land or premises, as existing and lawful at the time of enactment of a zoning resolution or amendment thereto, may be continued, although such use does not conform with the provisions of such resolution or amendment. If any such nonconforming use is voluntarily discontinued for two (2) years or more any future use of such land shall be in conformity with Sections 519.01 to 519.25 inclusive of the Ohio Revised Code.

**214.02 Nursery or Child Care Center**

A building used for the commercial care of three (3) or more children not members or wards of the family.

### **214.03 Nursing Home, Rest Home or Convalescent Home**

A place, residence or home used for the boarding and care for a consideration of not less than three (3) persons, not members of the immediate family, operating such facilities, who by reason of age or infirmity are dependent upon the services of others.

### **214.04 Nuisance Factors**

An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to:

- (a) noise
- (b) dust
- (c) smoke
- (d) odor
- (e) glare
- (f) fumes
- (g) flashes
- (h) vibration
- (i) shock waves
- (j) heat
- (k) electronic or atomic radiation
- (l) objectionable effluent
- (m) noise of congestion of people
- (n) passenger traffic
- (o) invasion of non-abutting street frontage by traffic

## **Section 215 Definitions (beginning with letter O)**

### **215.01 Open Space**

A parcel of land or an area of water, or combination of both land and water, within a site designed and intended for the use and enjoyment of its residents. Open space includes streets, easements, parks, recreation areas, off-street parking or loading areas, public open space, or other facilities dedicated by the developer for public use. Open space shall be substantially free of structures, or may contain such improvements as are approved as a part of the general development plan and are appropriate for the residents or occupants.

### **215.02 Open Storage**

Storing or keeping of chattels not enclosed in a building.

**Section 216 Definitions (beginning with letter P)**

**216.01 Planned Development**

Planned Development is:

- A. Land under unified control, planned and developed as a whole,
- B. In a single development operation or a definitely programmed series of development operations including all lands and buildings,
- C. According to comprehensive and detailed plans which include not only streets, utilities, lots or building sites and the like, but also site plans and design principles for all buildings as intended to be located, constructed, used, and related to each other; and detailed plans for other uses and improvements on the land as related to buildings, and
- D. With a program for provision, operation, and maintenance of such areas, improvements, and facilities necessary for common use by some or all of the occupants of the development, but which will not be provided, operated, or maintained at general public expense.

**216.02 Planning Commission**

The Clark County-Springfield Regional Planning Commission.

**Section 217 Definitions (beginning with letter Q)**

**Section 218 Definitions (beginning with letter R)**

**218.01 Recreation**

All area, open or enclosed, available for the general use of the residents for active or passive recreation. Recreation space shall be provided in locations easily accessible to the living units, but where they will not impair the view and privacy of living units. Such space may be a part of the livability space, where required.

**218.02 Refuse**

Refuse shall mean combustible and noncombustible waste materials, except garbage, rubber, leather, tree branches, tin cans, metals, mineral matter and dust.

**218.03 Roadside Stand**

A temporary structure designed or used for the display or sale of agricultural products produced on the premises upon which such a stand is located.

#### **218.04 Room, Habitable**

A room occupied or designed to be occupied by one or more persons for living, sleeping, eating or cooking, including kitchens serving a dwelling unit, but not including bathrooms, toilet compartments, laundries, pantries, attics for storage, and other similar spaces.

#### **218.05 Rooming House**

A dwelling in which two (2) or more rooms for lodging, with or without board, are provided for compensation.

### **Section 219 Definitions (beginning with letter S)**

#### **219.01 Setback**

See building line, Subsection 202.05

#### **219.02 Sign**

A name, identification, description, display or illustration which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land; or affixed to the glass on the outside or inside of a window so as to be seen from the outside of a building and which directs attention to an object, product, place, activity, person, institution, organization, or business.

#### **219.03 Sign Area**

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any frame or other material or color forming an integral part of the display or use to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. The area of a sign having more than one display surface shall be computed as the total of the exposed exterior display surface area.

#### **219.04 Sign Face**

The surface of the sign upon, against, or through which the message of the sign is exhibited.

#### **219.05 Sign Height**

The vertical distance from the uppermost point used in measuring the area of the sign to the crown of the road on which the property fronts.

#### **219.06 Sign Structure**

The supports, uprights, bracing or framework for signs.

### **219.07 Stable**

A structure for the keeping of domesticated animals.

### **219.08 Story**

That portion of a building, including between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

### **219.09 Street**

An improved public right-of-way fifty (50) feet or more in width which provides a public means of access to abutting property or any such right-of-way more than thirty (30) feet and less than fifty (50) feet in width provided it existed prior to the enactment of this Resolution and provided such street has been accepted by Springfield Township or Clark County. The term *street* shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

### **219.10 Structural Alteration**

Any change in the structural members of a building, such as load bearing walls, columns, beams or girders.

### **219.11 Structure**

Anything constructed, except pavement, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

## **Section 220 Definitions (beginning with letter T)**

### **220.01 Thoroughfare Plan**

The Official Thoroughfare Plan, of and as adopted by the Clark County-Springfield Regional Planning Commission, establishing the location and official right-of-way widths of principal highways and streets in the County, on file in the Office of the Recorder, together with all amendments thereto subsequently adopted. The right-of-way of arterial and other streets not included within the Thoroughfare Plan shall be determined from such other official documents as may be recognized by the County Engineer's Office. Setback shall be measured from future right-of-way lines when they exist.

### **220.02 Trailer**

#### **A. House Trailer or Mobile Home**

Any self-propelled or nonself-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories

in such manner as will permit the use and occupancy thereof for human habitation, whether resting on wheels, jacks, or other foundation and used or so constructed as to permit its use as a conveyance upon the public streets or highways.

B. Travel Trailer

A vehicular, portable structure built on a chassis and designed to be used as a temporary dwelling for travel, recreational, and vacation uses.

C. Mobile Home Park

An area of land for the parking of three (3) or more mobile homes.

D. Travel Trailer Park

An area of land for the parking of three (3) or more travel trailers.

**220.03 Truck Terminal**

Premises which are used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point, and which is designed to accommodate the simultaneous loading or unloading of two (2) or more trucks.

**Section 221 Definitions (beginning with letter U)**

**Section 222 Definitions (beginning with letter V)**

**Section 223 Definitions (beginning with letter W)**

**Section 224 Definitions (beginning with letter X)**

**Section 225 Definitions (beginning with letter Y)**

**225.01 Yard (Front)**

A. Front Yard

An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified.

B. Front Yard (least depth)

The shortest distance, measured horizontally, between any part of the building and the front lot line.

C. Front Yard (least depth, how measured)

Such depth shall be measured from the right-of-way line of the existing street on which the lot fronts; provided, however, that if the proposed location of the right-of-way line of such street as established on the Thoroughfare Plan differs from that of the existing street, then the required front yard least depth shall be measured from the right-of-way line of such street as designated on said Thoroughfare Plan.

**225.02 Yard (Rear)**

A. Rear Yard

An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified.

B. Rear Yard (least depth)

The average distance measured horizontally between any part of a building and the nearest rear lot line.

**225.03 Yard (Side)**

A. Side yard

An open space extending from the front yard to the rear yard between a building and the nearest side lot line unoccupied and unobstructed from the ground upward except as hereinafter specified.

B. Side Yard (least width)

The shortest distance measured horizontally between any part of a building, other than such parts hereinafter excepted, and the nearest side lot line.

C. Side Yard (least width, how measure)

Such width shall be measured from the nearest side lot line. On a corner lot when the side lot line is a side street lot line, the required side yard shall be the same as the required front yard of the lot adjacent thereto.



**Section 226 Definitions (beginning with letter Z)**

**226.01 Zoning Certificate**

That document signed by the Zoning Inspector or his authorized agent which certifies that the use to be made of a particular property is a permissible use according to the terms of the Springfield Township Zoning Regulations.

**226.02 Zoning Inspector**

The Zoning Inspector (Administrative Officer) or his authorized representative, appointed by the Board of Township Trustees, Springfield Township, Clark County, Ohio.

**226.03 Zoning Map**

The Zoning Map or maps of the unincorporated areas of Springfield Township or portion thereof together with all amendments thereto subsequently adopted.



# **CHAPTER II**

# **DISTRICTS**



<p style="text-align: center;"><b>ARTICLE 3</b> <b>ZONING DISTRICTS, BOUNDARIES, AND</b> <b>MAPS</b></p>
--

**Section 301 Districts Established**

The unincorporated territory of Springfield Township, Clark County, Ohio, zoned under Section 519.02 seq., of the Revised Code of the State of Ohio, shall be and is hereby divided into the following districts:

"A"	Agricultural Residential District
"R-1"	Single Family Residential District
"R-2"	Single Family Residential District
"R-3"	Single Family Residential District
"R-4"	Single Family Residential District
"R-5"	Two Family Residential District
"R-6"	Multiple Family Residential District
"R-7"	Multiple Family Residential District
"R-8"	Mobile Home Residential District
"OR-1"	Office Residential District
"O-2"	Office District
"B-1"	Neighborhood Business District
"B-2"	Community Business District
"B-3"	General Business District
"B-4"	Expressway Service District
"S"	Specific Use Control
"I-1"	Light Industrial District
"I-2"	General Industrial District
"I-3"	Heavy Industrial District

"F"	Flood Plain District
"NR"	Natural Resources
"PD-1"	Planned Residential District
"PD-2"	Planned Office District
"PD-3"	Planned Business District
"PD-4"	Planned Industrial District

## **Section 302 Boundaries**

### **302.01 Incorporation**

The boundaries of these districts are hereby established as shown on the Zoning Map of the unincorporated areas of Springfield Township in Clark County, Ohio, which Map is hereby made a part of this Resolution. The said *Zoning Map* and all notations and references and other matters shown thereon, shall be, and are hereby made, part of this Resolution. Said *Zoning Map* properly attested, shall be and remain on file in the Office of the Township Zoning Inspector, Springfield Township Trustees, and the Springfield Township Zoning Commission of Clark County, Ohio.

### **302.02 Areas Shown on Map**

It is the intent of this Zoning Resolution that the entire area under the jurisdiction of Springfield Township Zoning, including all land, water areas, rivers, streets, alleys, railroad, and other rights-of-way be included in the districts established by this Resolution. Any area not shown on the Official Zoning Map of the Township as being included in any district shall be deemed to be in the "R-1" Single Family Residential District.

### **302.03 Rules of Interpretation**

In the event uncertainty exists with respect to the intended boundaries of the various districts shown on the Official Zoning Maps, the following rules shall apply:

- A. Where the designation of a boundary line on the Zoning Maps coincides with the location of a street or alley, the centerline of such street or alley shall be construed to be the boundary of such district.
- B. Where the district boundaries do not coincide with the location of streets or alleys, but do coincide with lot lines, such lot lines shall be construed to be the boundary of such district.

- C. Where the district boundaries do not coincide with the location of streets, alley or lot lines, the district boundaries shall be determined by the use of the scale shown on the Zoning Maps.
- D. All streets, alleys, public ways, waterways, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets, alleys, public ways, waterways, and railroad rights-of-way.
- E. Where the centerline of a street, alley, public way, waterway or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to the centerline.

**Section 303 District Requirements**

- A. In all districts, no building or structure or part thereof, hereafter shall be erected, constructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure, or land or part thereof, except in conformity with the provisions of this Resolution.
- B. All buildings and uses in any district shall be subject to the provisions of Article 26, Schedule of Regulations; Chapter 3, General Regulations; and Chapter 4, Special Regulations.





## **ARTICLE 4**

### **"A" AGRICULTURAL DISTRICT AND PURPOSE**

#### **Section 400 Intent**

This district has been established to provide for agricultural activity on large tracts and areas of open land.

#### **Section 401 Principal Permitted Uses**

- A. Agriculture and the usual agricultural buildings and structures, provided that any building in which animals are housed shall be a distance of at least three hundred (300) feet from any dwelling, other than a farm dwelling, or from any lot in a Residential, Office or Business District.
- B. Single family dwellings.
- C. Public, parochial, and other private elementary and/or high schools offering courses in general education and not operated for profit.
- D. Publicly owned and operated buildings and facilities.
- E. Places of worship having at least one property line abutting a major or secondary thoroughfare, with at least two (2) entrances/exits.
- F. Publicly owned parks, playgrounds, community centers, and libraries.
- G. Colleges and universities, that meet the following standards:
  - 1. Minimum site: 40 acres.
  - 2. All access to site shall be from a major or secondary thoroughfare.
  - 3. All buildings shall be at least one hundred and fifty (150) feet from all property lines, except residential buildings which shall be at least eighty (80) feet from all property lines.

## **Section 402 Conditional Use**

The following Conditional Uses subject to approval in accordance with Article 39, Section 3906.

- A. Airports in accordance with the provisions of Section 3703.
- B. Cemeteries, including mausoleums and crematoria, provided that any mausoleum or crematorium shall be a distance of at least two hundred (200) feet and burial sites at least one hundred (100) feet from adjacent property, street and highway lines, and provided further that any new cemetery shall contain an area of twenty (20) acres or more.
- C. Kennels and animal hospitals for the raising, breeding, treatment, and boarding of dogs, or other small animals, provided that all outside runs be at least two hundred (200) feet from all property lines.
- D. Riding academies, provided that such building or stable shall be a distance of two hundred (200) feet from any lot in any Residential District.
- E. Golf courses, driving ranges, miniature golf courses, swimming pools, tennis courts, gun clubs and similar recreational uses subject to the requirements of Article 35.
- F. A trailer, or other temporary building, for a period not to exceed nine (9) months while a permanent dwelling is being constructed on the same lot.
- G. A nursing, convalescent, or rest home having at least one property line abutting a major or secondary thoroughfare, with at least two (2) entrances/exits.
- H. Bed and Breakfast: Before approval of this conditional use, a traffic study is to be performed to determine the impact on the area. A parking plan providing that there is adequate parking and that parking will be screened from view of adjacent residence must be provided.

## **Section 403 Accessory Uses**

- A. A single family dwelling for persons employed on the premises and not rented or otherwise used as a separate dwelling.
- B. A private garage, parking space, or stable.
- C. Roadside stands, offering for sale only agricultural products grown on the premises.

D. The keeping of animals and/or fowl as pets or for domestic use.

E. Home occupation as defined in Article 2, Subsection 208.01.

**Section 404 Development Standards**

See Article 26, Schedule of Regulations and Chapters III and IV, General and Special Regulations.



<p style="text-align: center;"><b>ARTICLE 5</b>  <b>"R-1" THRU "R-4" SINGLE FAMILY</b>  <b>RESIDENTIAL DISTRICTS</b></p>
--

**Section 500 Intent**

The "R-1" thru "R-4" Single Family Residential Districts as herein established are intended to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low density, single family detached dwellings along with other residentially-related facilities which serve the residents in the district.

**Section 501 Principal Permitted Uses**

- A. Single family detached dwellings.
- B. Public, parochial, and other private elementary and/or high schools offering courses in general education and not operated for profit.
- C. Publicly owned and operated parks, playgrounds, community centers, and libraries.

**Section 502 Conditional Uses**

The following Conditional Uses subject to approval in accordance with Article 39, Section 3906:

- A. Private swimming pools, tennis courts, and accessory uses subject to the requirements of Article 35.
- B. Places of worship, having at least one (1) property line abutting a major or secondary thoroughfare, with at least two (2) entrances/exits.
- C. Utility, public service, municipal buildings that do not require outdoor storage or materials or vehicles.
- D. Colleges and universities that meet the following standards:
  - 1. Minimum site: 40 acres.
  - 2. All access to site shall be from a major or secondary thoroughfare.
  - 3. All buildings shall be at least one hundred and fifty (150) feet from all property lines, except residential buildings

which shall be at least eighty (80) feet from all property lines.

- E. Bed and Breakfast: Before approval of this Conditional Use, a traffic study is to be performed to determine the impact on the area. A parking plan providing that there is adequate parking and that parking will be screened from view of any adjacent residence must be provided.

**Section 503 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted use, including private garages and stables ("R-1"), provided that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity.
- B. Home Occupation as defined in Article 2, Section 208.01.
- C. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- D. Other accessory uses permitted for this district by Article 29.

**Section 504 Development Standards**

See Article 26, Schedule of Regulations and Chapters III and IV, General and Special Regulations.

<p style="text-align: center;"><b>ARTICLE 6</b> <b>"R-5" TWO FAMILY RESIDENTIAL</b> <b>DISTRICT</b></p>
---

**Section 600 Intent**

The "R-5" Two Family Residential District as herein established is intended to afford transition of use in existing housing areas by permitting new construction or conversion of existing structures between low density, residential and commercial, office, higher density residential, thoroughfares or other uses which would affect residential character. This district also recognizes the existence of older residential areas of the Township where larger houses have been or can be converted from single family to two family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repair and modernization. This district also allows the construction of new two family residences.

**Section 601 Principal Permitted Uses**

- A. Single family dwellings as governed by Article 5.
- B. Two family dwellings as governed by Article 6.
- C. Public, parochial and other private elementary and/or high schools offering courses in general education and not operated for profit.
- D. Publicly owned parks, playgrounds, community centers, and libraries.
- E. Single family condominium units subject to Article 36 and 26.
- F. Two family condominium units subject to Articles 36 and 26.

**Section 602 Conditional Uses**

The following Conditional Uses subject to approval in accordance with Article 37, Section 3706.

- A. Private swimming pools, tennis courts, and accessory uses subject to the requirements of Article 35.
- B. Places of worship having at least one (1) property line abutting a major or secondary thoroughfare, with at least two (2) entrances/exits.

- C. Utility, public services, and municipal buildings that do not require outdoor storage of materials and vehicles.
- D. Colleges or universities that meet the following standards:
  - 1. Minimum site: 40 acres
  - 2. All access to site shall be from a major or secondary thoroughfare.
  - 3. Building shall be at least one hundred and fifty (150) feet from all property lines, except residential buildings which shall be eighty (80) feet from all property lines.
- E. Bed and Breakfast: Before approval of this Conditional Use, a traffic study is to be performed to determine the impact on the area. A parking plan providing that there is adequate parking and that parking will be screened from view of any adjacent residence must be provided.

**Section 603 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted use, including private garages, provided that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity.
- B. Home Occupation as defined in Article 2, Section 208.01.
- C. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- D. Other accessory uses permitted for this district by Article 29.

**Section 604 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.



**ARTICLE 7**  
**'R-6" AND "R-7" MULTIPLE-**  
**FAMILY RESIDENTIAL DISTRICT**

**Section 700 Intent**

The "R-6" and "R-7" Multi-family Residential Districts as herein established, are intended to provide sites for multiple family dwelling structures and related uses which will generally serve as zones of transition between non-residential districts and lower density single or two (2) family districts.

**Section 701 Principal Permitted Uses: "R-6"**

- A. Single family dwellings as governed by Article 5.
- B. Two family dwellings as governed by Article 6.
- C. Multiple-family dwellings.
- D. Public, parochial and other private elementary and/or high schools offering courses in general education and not operated for profit.
- E. Places of worship having at least one (1) property line abutting a major or secondary thoroughfare.
- F. Publicly owned parks, playgrounds, community centers, and libraries.
- G. Single family condominium units subject to Articles 36 and 26.
- H. Two family condominium units subject to Articles 36 and 26.
- I. Multi-family condominium units subject to Articles 36 and 26.

**Section 702 Principal Permitted Uses – "R-7"**

- A. Multiple-family dwellings.
- B. Public, parochial and other private elementary and/or high schools offering courses in general education and not operated for profit.
- C. Places of worship having at least one (1) property line abutting a major or secondary thoroughfare.
- D. Publicly owned parks, playgrounds, community centers, and libraries.

**Section 703 Conditional Uses: "R-6" and "R-7"**

The following Conditional Uses subject to approval in accordance with Article 39, Section 3906.

- A. Private swimming pools, tennis courts, and accessory uses subject to the requirements of Article 35.
- B. Utility, public service, and municipal buildings that do not require outdoor storage of materials or vehicles.
- C. Colleges or universities that meet the following standards:
  - 1. Minimum site: 40 acres
  - 2. All access to site shall be from a major or secondary thoroughfare.
  - 3. All buildings shall be at least one hundred and fifty (150) feet from all property lines, except residential buildings which shall be eighty (80) feet from all property lines.
- D. Bed and Breakfast: Before approval of this Conditional Use, a traffic study is to be performed to determine the impact on the area. A parking plan providing that there is adequate parking and that parking will be screened from view of any adjacent residence must be provided.
- E. Nursery or child care centers provided:
  - 1. There shall be an outdoor play area of one hundred and fifty (150) square feet or more per child.
  - 2. Such play area shall be arranged in accordance with provisions for accessory uses in Article 29, Section 2904.
  - 3. Such play area shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.

**Section 704 Accessory Uses: "R-6" and "R-7"**

- A. Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted use, including private garages, provided that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity.
- B. Home Occupation as defined in Article 2, Section 208.01.

- C. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- D. Other accessory uses permitted for this district by Article 29.

**Section 705 Developmental Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.



<p style="text-align: center;"><b>ARTICLE 8</b> <b>"R-8" MOBILE HOME RESIDENTIAL</b> <b>DISTRICT</b></p>
--

**Section 800** **Intent**

This district has been established to provide for mobile homes in mobile home parks.

**Section 801** **Principal Permitted Uses**

- A. Mobile home parks
  - 1. Mobile homes (house trailers)

**Section 802** **Accessory Uses**

- A. Coin-operated laundry, laundry and dry cleaning pick-up stations for use of tenants only. No external signs of any nature whatsoever shall be permitted.
- B. Other accessory uses, buildings, or structures customarily incidental to the aforesaid use.

**Section 803** **Developmental Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.

**803.01** **Required Conditions**

- A. Each lot in a Mobile Home Park shall be served with sanitary sewer and water.
- B. The minimum area of a mobile home park shall be ten (10) acres.
- C. A twenty (20) foot Greenbelt shall be located and effectively maintained at all times along all park boundary lines except at established entrances and exits serving the park.
- D. Each park shall provide a recreational area or areas equal in size to at least eight (8) percent of the gross area of the park. Streets, parking areas and Greenbelt shall not be considered as part of the required recreational area(s).
- E. All exterior park lights shall be so located and shielded as to prevent direct illumination of any areas outside the park.

- F. Mobile home sites shall be a minimum of five thousand (5,000) square feet in area.
- G. Each mobile home site shall have a minimum width of fifty (50) feet.
- H. The minimum distance between a mobile home and another mobile home or structure shall be twenty (20) feet.
- I. Each mobile home shall be located at least ten (10) feet from the Greenbelt.
- J. Each mobile home site shall be provided with a stand consisting of a solid concrete slab or two (2) concrete ribbons of a thickness and size adequate to support the maximum anticipated loads during all seasons. When concrete ribbons are used, the area between the ribbons shall be filled with a layer of crushed rock.
- K. Accessory uses shall be located at least one hundred (100) feet from the Greenbelt.

#### **803.02 Required Conditions for Existing Mobile Home Parks**

No enlargements or extensions to any mobile home park shall be permitted unless they are made to conform substantially with all the requirements for new parks.

<p style="text-align: center;"><b>ARTICLE 9</b> <b>"OR-1" OFFICE RESIDENTIAL DISTRICT</b></p>
---

**Section 900 Intent**

This district has been established to provide for a mixture of residential, small office, and professional service establishments which will maintain the residential appearance of the neighborhood while not creating or generating a great amount of traffic and noise.

**Section 901 Principal Permitted Uses**

- A. Any use permitted in Section 501 (R-4). The requirements of that Article shall be applicable.
- B. Barber and beauty shops provided:
  - 1. It is a one-chair operation
  - 2. The sole operator is the resident on the premises.
- C. Nursery or child care centers provided:
  - 1. There shall be an outdoor play area of one hundred and fifty (150) square feet or more per child.
  - 2. Such play area shall be arranged in accordance with provisions for Accessory Uses in Article 29, Section 2904.
  - 3. Such play area shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.
- D. Professional services, including but not limited to, offices of physicians, surgeons, dentists, lawyers, architects, engineers, insurance and real estate agents and members of similar professions.
- E. Rooming houses.

**Section 902 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any aforesaid permitted use, including private garages; provided that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity.

- B. Home Occupation as defined in Article 2, Section 209.01.
- C. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- D. Other accessory uses permitted for this district by Article 29.

**Section 903 Required Conditions**

No Zoning Certificate shall be issued for an "OR-1" use until the applicant shall have certified to the Zoning Inspector that:

- A. Such building shall front onto a collector or arterial street with a right-of-way of sixty-two (62) feet or more as established on the Official Thoroughfare Plan for Clark County.
- B. The office establishment shall be conducted principally in daylight hours and shall not create a nuisance from noise, smoke, or odor.
- C. No alteration of the principal residential structure shall be made which changes the essential appearance thereof as a dwelling.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

**Section 904 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.



## ARTICLE 10 "O-2" OFFICE DISTRICT

### Section 1000 Intent

This "O-2" district as herein established is intended to accommodate uses such as offices, banks, and institutions which can serve as transitional areas between residential and commercial districts or between major thoroughfares and residential districts.

### Section 1001 Principal Permitted Uses

- A. Art galleries, libraries, and museums.
- B. Artist, sculptor and composer studios.
- C. Banks and financial institutions.
- D. Hospitals.
- E. Libraries and reading rooms.
- F. Medical and dental clinics.
- G. Medical research facilities.
- H. Nursing homes, rest homes, and convalescent homes.
- I. Office buildings of any kind provided that no retail trade with the general public is carried on and no stock of goods is maintained for sale to customers.
- J. Radio and television broadcasting studios.
- K. Research and development laboratories.
- L. School and educational services.
- M. Veterinarians offices provided that:
  - 1. Offices shall be housed in a completely enclosed and sound-proofed building.
  - 2. Services will be on a strictly "out-patient basis" with no raising, breeding and boarding of dogs or other small animals, except for the confinement of small animals under emergency treatment in facilities within the office.

- N. Rooming houses.

#### **Section 1002 Conditional Uses**

The following Conditional Uses are subject to approval in accordance with Article 39, Section 3906.

- A. Retail and service uses such as restaurants, drug stores, barber and beauty shops, tobacconists, gift shops, but only:
  - 1. When located entirely within a building or structure containing primarily a principal use or uses permitted in this district.
  - 2. With access for the public provided only through the lobby.
- B. Hotels and motels which may have eating places #1 and #2, swimming pools, plus other customary incidental facilities.
- C. Testing laboratories which are compatible with the other permitted uses.
- D. Publicly owned buildings, telephone exchange buildings, and public utility offices; but not including storage yards, transformer stations, sub-stations, or gas regulator stations.

#### **Section 1003 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily intended to any aforementioned permitted use.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- C. Other accessory uses permitted for this district by Article 29.

#### **Section 1004 Developmental Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Specific Regulations.

- M. Outside incinerators shall be a minimum distance of fifty (50) feet from all residential lot lines. The incinerator, and all trash to be burned therein, shall be enclosed within a six (6) foot in height solid enclosure.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

**Section 1104 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Specific Regulations.



<p style="text-align: center;"><b>ARTICLE 11</b> <b>"B-1" NEIGHBORHOOD</b> <b>BUSINESS DISTRICT</b></p>
---

**Section 1100 Intent**

This district has been established to provide for relatively small business and service establishments which may be placed in a residential or rural area to serve primarily nearby residents.

**Section 1101 Principal Permitted Uses**

- A. Baked goods shops, retail only.
- B. Barber and beauty shops.
- C. Candy and ice cream stores.
- D. Drug stores.
- E. Pick-up stations for dry cleaning and laundry.
- F. Dry cleaning and Laundromats of the self-service type.
- G. Grocery and delicatessen stores.

**Section 1102 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary building for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

**Section 1103 Required Conditions**

No Zoning Certificate shall be issued for a "B-1" use until the applicant shall have certified to the Zoning Inspector that:

- A. The business activity is open to the public only between the hours of 7:00 A.M. and 11:00 P.M.
- B. The business activity shall be conducted wholly within a completely enclosed building.
- C. The business establishment shall not offer goods, services, food, beverages, or make sales directly to customers in automobiles,

except for drive-in windows for pick-up or delivery and which will be provided with adequate drive-way space on the premises for waiting vehicles.

- D. All business shall be of retail or service character.
- E. No manufacturing, processing, packaging, repair or treatment of goods shall be carried on, except when incidental or accessory to the performance of service or the sale of goods to the public on the premises.
- F. All premises shall be furnished with all-weather hard surface walks of a material such bituminous or Portland cement concrete, wood, tile, Terrazo or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- G. Where the property lines separate a business district from a residential district, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  - 2. A fence of a non-deteriorating material.
  - 3. Masonry wall.
- H. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 34.
- I. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- J. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means.
- K. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- L. There will be no vibrations which can be detected without the use of instrument at or beyond the lot lines.

**ARTICLE 12**  
**"B-2" COMMUNITY BUSINESS DISTRICT**

**Section 1200 Intent**

This district has been established to provide for a variety of business functions serving the needs of consumers beyond the immediate neighborhood. Generally, the "B-2" district is characterized by an integrated or planned cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic.

**Section 1201 Principal Permitted Uses**

- A. Any use permitted in 1101, however, required conditions of Section 1204 shall be applicable.
- B. All retail businesses, service establishments, or processing uses as follows:
  - 1. Any retail business whose principal activity is the sale, rent, or lease of merchandise in an enclosed building.
  - 2. Any service establishment of an office, showroom; workshop of an electrician, decorator, dressmaker, tailor, baker, painter, or upholsterer; an establishment doing radio or home appliance repair, photographic reproduction, or similar service establishments that require a retail adjunct.
- C. Private clubs, fraternal organizations, and lodge halls.
- D. Eating places:
  - 1. Eating places #1.
  - 2. Eating places - carry-outs.
- E. Business schools and colleges or private schools operated for profit.
- F. Other uses similar to the above permitted uses.

## **Section 1202 Conditional Uses**

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to release and approval in accordance with Article 39, Section 3906.

- A. Automobile service stations, when developed as part of a larger planned shopping center which has been designed so as to integrate the automobile service station with the site plan and architecture of the total shopping center.
- B. Indoor recreation (wholly enclosed places of recreation or amusement) i.e., theaters, bowling alleys, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks, assembly or concert halls.
- C. Eating places #2.

## **Section 1203 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary building for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

## **Section 1204 Required Conditions**

No Zoning Certificate for a "B-2" use shall be issued until the applicant has certified to the Zoning Inspector that:

- A. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
- B. The business activity will be conducted wholly within a completely enclosed building except for automobile service stations in accordance with Sub-Section 1204F.
- C. The business establishment shall not offer goods, services, food, beverages, or make sales directly to customers in automobiles, except for drive-in windows for pick-up or delivery and which will be provided with adequate driveway space on the premises for waiting vehicles.
- D. No manufacturing, processing, packaging, repair, or treatment of goods shall be carried on, except when incidental or accessory to the performance of services or the sale of goods for the public on the premises.



- E. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property located in a residential district or upon any public street.
- F. Automobile service stations when permitted shall be limited to the selling and dispensing of petroleum fuel primarily to passenger vehicles and to such accessory uses as the sale and installation of lubricants, tires, batteries, accessories and supplies, incidental washing and polishing, tune-ups and brake repair. No outdoor dismantling, wrecking or storage of automotive vehicles, parts or accessories, shall be permitted. No outdoor storage or rental of trucks, trailers, or passenger vehicles shall be permitted.
- G. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- H. Where the property lines separate a business district from a residential district, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  - 2. A fence of a non-deteriorating material.
  - 3. Masonry wall.
- I. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 33.
- J. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- K. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means.
- L. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.

- M. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.
- N. Outside incinerators shall be a minimum distance of fifty (50) feet from all residential lot lines. The incinerator and all trash to be burned therein, shall be enclosed within a six (6) foot in height solid enclosure.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

**Section 1205 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.

<p style="text-align: center;"><b>ARTICLE 13</b> <b>"B-3" GENERAL BUSINESS DISTRICT</b></p>
---

**Section 1300 Intent**

The "B-3" district as herein established is intended to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the local and community business districts. Open air business uses, when allowed as Conditional Uses, shall be regulated under the provisions of this district.

**Section 1301 Principal Permitted Uses**

- A. Any use permitted in Sections 1201 and 1202; however, the required conditions of Section 1304 shall be applicable.
- B. Automobile laundries (or wash) when completely enclosed in a building.
- C. Agricultural implement sales or service.
- D. Auction house.
- E. Bus passenger stations.
- F. Garden stores, garden centers, greenhouses, and nurseries.
- G. Hay, grain, and feed stores.
- H. New and used car salesrooms, showrooms, or office.
- I. Other uses similar to the above uses.

**Section 1302 Conditional Uses**

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval in accordance with Article 39, Section 3906.

- A. Businesses in the character of a drive-in or open-front store (including service stations and drive-in eating places) subject to the following conditions:
  - 1. Access points shall be located at least sixty (60) feet from the intersection of any two (2) streets.

- a. A setback of at least fifty (50) feet from the right-of-way line of any existing or proposed street must be maintained.
- B. Hotels, motels, subject to the following conditions:
  - 1. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.
  - 2. Each unit shall contain at least two hundred and fifty (250) square feet of floor area.
  - 3. No guest shall establish a legal residence at a motel.
- C. Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in a funeral procession; provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of the mortuary establishment.
- D. Outdoor sales space for exclusive sale, rent, or lease of new or second-hand automobiles, trucks, motorcycles, boat and marine equipment, mobile homes, utility trailers, all subject to the following:
  - 1. Access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.
  - 2. No major repair or major refinishing shall be done on the lot.
- E. Veterinary hospitals, clinics, kennels, or pounds, provided all activities are conducted within a totally enclosed main building, and further that all buildings are set back at least one hundred (100) feet from abutting residential districts on the same side of the street.
- F. Outdoor recreation (non-enclosed place of recreation or amusement) except for outdoor theaters; see Section 3701.

### **Section 1303 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

## **Section 1304 Required Conditions**

No Zoning Certificate shall be issued for "B-3" use until the applicant shall have certified to the Zoning Inspector that:

- A. Drive-in windows for pick-up or delivery shall be located on and accessible only from the premises and shall be provided with adequate driveway space for waiting vehicles.
- B. All businesses shall be of retail, service, or recreational character.
- C. No manufacturing, processing, packaging, repair or treatment of goods shall be carried on, except when incidental or accessory to the performance of services or the sale of goods to the public on the premises.
- D. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property located in a residential district or upon any public street.
- E. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- F. Where the property lines separate a business district from a residential district, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  - 2. A fence of a non-deteriorating material.
  - 3. Masonry wall.
- G. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provision of Article 34.
- H. No emission of toxic or noxious matter, which is injurious to human health, comfort, or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- I. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be

kept to a minimum by appropriate landscaping, paving, or other acceptable means.

- J. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- K. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.
- L. Outside incinerators shall be a minimum distance of fifty (50) feet from all residential lot lines. The incinerator, and all trash to be burned therein, shall be enclosed within a six (6) foot in height solid enclosure.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

#### **Section 1305 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Special Regulations.

## **ARTICLE 14**

### **"B-4" EXPRESSWAY SERVICE DISTRICT**

#### **Section 1400 Intent**

The expressway service district as herein established is intended to provide for servicing the needs of automobile highway traffic at the interchange areas on feeder roads, the avoidance of undue congestion along feeder roads, the promotion of smooth traffic flow at the interchange area and on the expressway, and the protection of adjacent properties in adjacent districts from adverse influence of traffic are prime considerations in the application of this district.

#### **Section 1401 Principal Permitted Uses**

- A. Automobile service stations, parking garages, and bus passenger stations.
- B. Retail establishments to service the needs of the highway traveler including such facilities as: drug stores, gift shops, restaurants, but not including drive-in restaurants.
- C. Motels, hotels, and transient lodging facilities.
- D. Other uses similar to the above.

#### **Section 1402 Required Conditions**

- A. Barriers

All developments shall be physically separated from the feeder road by a curb and planting strip or other suitable barrier. Such barrier shall effectively eliminate unchanneled vehicle ingress and egress except for authorized access ways.

- B. Access ways

Each separate use, grouping of buildings or grouping of uses as part of a single development shall not have more than two (2) access ways from a feeder road such access ways shall not be located closer than three hundred (300) feet to the point of intersection of an entrance or exit ramp and the feeder road.

#### **Section 1403 Development Standards**

See Article 26, Schedule of Regulations, and Chapters III and IV, General and Specific Regulations.





## **ARTICLE 15**

### **"S" SPECIFIC USE CONTROL**

#### **Section 1500 Intent**

There are certain limited circumstances under which the specific use control (S-District) may be allowed. The intent is to allow property which is being rezoned to be restricted to one or more uses of a particular zoning district where better control of its use is needed to ensure the health, morals, safety, prosperity, and general welfare of the community. This district is established to provide for a mixture of professional offices and other small offices which will maintain the residential appearance of the neighborhood and will not generate a great amount of traffic and/or noise. All requirements of the identified district and all other general requirements shall apply to the specific use or uses.

#### **Procedures**

- A. The specific use control may be implemented in the following manner:
  - 1. The property owner or lessee (or authorized agent) may state in the application for rezoning that the property shall be used for one or more specific uses and those uses only.
  - 2. The Township Zoning Commission may state that the property shall be used for one or more specific uses.
- B. The Specific Use Control is subject to the following:
  - 1. The rezoned property shall become effective thirty (30) days after the adoption of the rezone and specific use designation by the Township Trustees.
  - 2. All requirements of the district and all general requirements shall apply to "S" zoning.

#### **Change of Use or Uses**

If a property owner wishes to change the use or uses on a tract which is designated as "S" (Specific Use), an application for rezoning must be completed and filed which indicates either rezoning for another specific use or uses or rezoning to another zoning district without the "S" Specific Use Control. If the request is to change from one specific use to another specific use, the appropriate zoning district must be requested.



<p style="text-align: center;"><b>ARTICLE 16</b> <b>"I-1" LIGHT INDUSTRIAL DISTRICT</b></p>
---

**Section 1600 Intent**

The "I-1" Industrial District as herein established is intended to primarily accommodate wholesale activities, warehouses, and industrial operations whose external and physical effects are restricted to the area of the district and in no manner affects in a detrimental way any of the surrounding districts.

**Section 1601 Principal Permitted Uses**

- A. The manufacturing, compounding, assembling, or treatment (or any combination of such processes) of articles or products from the following substances: bone, canvas, cellophane, clay, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco, wax, wire, and wood, but not including as a principal operation, the manufacturing of such substances.
- B. Any industry activity, such as those enumerated below as examples, which fulfills all the requirements of the other sections of this Article, and is not listed initially as a permitted use in Articles 17 and 18.
  - 1. The manufacturing or assembling of the following:
    - a. Medical, dental, optical, and similar precision instruments.
    - b. Musical instruments.
    - c. Novelties, toys, rubber products.
    - d. Orthopedic or medical appliances.
    - e. Watches, clocks, including clock-operated devices.
  - 2. Machine shops and tool and die shops.
  - 3. Manufacturing, assembling or repairing of electrical and electronic products, components and equipment, compounding, processing and packaging of meat, dairy, and food products, candy, exclusive of slaughtering.

4. Compounding, processing and packaging of chemical products, but not including any materials which decompose by detonation.
5. Awning company.
6. Bakeries, wholesale.
7. Beverage distributors manufacturing, bottling plants.
8. Carpet and rug cleaning plants.
9. Electric supply company.
10. Fence company.
11. Glass distributors.
12. Labor Union meeting halls.
13. Laboratories-experimental, firm, or testing.
14. Laundries, dry cleaning plants and linen supply.
15. Mail order houses.
16. Offices.
17. Printing, publishing, binding and typesetting plants.
18. Public utilities: including buildings, necessary structures, storage yards, and other related uses.
19. Research and engineering laboratories.
20. Sign painting and manufacturing.
21. Trade or industrial schools.
22. Wholesale houses and storage facilities.
23. Warehouse which may have a maximum lot coverage of seventy-five (75) percent or a maximum floor area ratio of point seventy five (.75), whichever is less.
24. Mini-warehouse self storage units to provide storage in completely enclosed units. There will be no storage outside of units.

## **Section 1602 Conditional Uses**

The following Conditional Uses subject to approval in accordance with Article 39, Section 3906.

- A. Truck and motor freight terminals and hauling services.
- B. Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities (such as but not limited to: lumber yards, building materials outlets, garage sales, upholsters, cabinet makers, outdoor boat or house trailers, automobiles, or agriculture implement sales) or serve the convenience needs of the district (such as but not limited to: eating and drinking establishments, banks, savings and loan associations, credit unions, automobile service stations, motel or bowling alleys, or industrial clinics).

## **Section 1603 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

## **Section 1604 Required Conditions**

No Zoning Certificate shall be issued for "I-1" use until the applicant shall have certified to the Zoning Inspector that:

- A. The industrial activity will be conducted wholly within a completely enclosed building, except for automobile service stations, drive in restaurants, equipment rental services, including automobiles, trucks and trailers; truck and motor freight terminals and hauling services.
- B. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 34.
- C. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- D. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be

kept to a minimum by appropriate landscaping, paving, or other acceptable means.

- E. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- F. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.
- G. Where the property lines separate an Industrial District from a Residential District, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  - 2. A fence of a non-deteriorating material.
  - 3. Masonry wall.
- H. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon property located in any Residential District or upon any public street.
- I. No building or structure shall be used for residential purposes except that a watchman or custodian may reside on the premises.
- J. No raw material shall be processed into any of the following basic products; metals of any kind, glass, plastic, textiles, leather or paper.
- K. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar materials, and except for parking areas, the grounds shall be planted and landscaped.
- L. The storage, utilization and manufacture of solid, liquid and gaseous chemicals and other materials shall be permitted subject to the following conditions:
  - 1. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted; but only if said materials or products are stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.

2. All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gases shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate fire fighting and suppression equipment and devices standard to the industry involved. All above ground storage shall be in enclosed fireproof vaults.
3. The storage, utilization or manufacture of pyrophoric and explosive powders and dusts, and of materials and products which decompose by detonation is prohibited.
4. The manufacture of flammable liquids or materials which produce flammable or explosive vapors or gases is prohibited.
5. The storage and utilization of flammable liquids, or of materials that produce flammable or explosive vapors or gases shall be permitted on any lot in accordance with the following table:

**Total Permitted Quantities of Flammable Materials in Gallons**

<b>Closed Cup Flashpoint in Degrees F.</b>	<b>Above Ground</b>	<b>Below Ground</b>
Class I below 100 degrees F	I Not permitted	20,000
Class II above 100 degrees F and below 140 degrees F	II 1,000	40,000
Class III above 140 degrees F	III 5,000	80,000

- M. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in strict conformance with:
1. The applicable regulations of the Atomic Energy Commission.
  2. The applicable regulations of any instrumentality of the State of Ohio.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation for prosecution under the terms of this Resolution.





**Section 1605 Development Standards**

See Article 26, Schedule of Regulations and Chapters III and IV, General and Special Regulations.



<p style="text-align: center;"><b>ARTICLE 17</b> <b>"I-2" GENERAL INDUSTRIAL DISTRICT</b></p>
---

**Section 1700 Intent**

This district has been established to accommodate a broad range of industrial activities, diverse in products, operational techniques, and size and which have a greater impact upon their environment than those permitted in "I-1."

**Section 1701 Principal Permitted Uses**

- A. Any use permitted in Section 1601; however, the required conditions of Section 1704 shall be applicable.
- B. The manufacturing, compounding, assembling, or treatment (or any combination of such processes) of articles or products from the following previously prepared materials:
  - 1. Light metal products, excluding structural steel and foundry products.
  - 2. Pharmaceutical products, including cosmetics, toiletries and the compounding of perfumes, but excluding the manufacture of soap from raw materials.
- C. Any industry activity, such as those enumerated below as examples, which fulfills all the requirements of the other sections of this Article, and is not listed initially as a permitted use in Article 18.
  - 1. Bus garages, repair and storage.
  - 2. Cement block and formed products manufacturing.
  - 3. Building material sales and storage facilities.
  - 4. Cold storage plants.
  - 5. Concrete mixing plants.
  - 6. Contractor sales, storage and equipment yards.
  - 7. Motor vehicle repair and storage facilities.
  - 8. Sawing and planing mills.

9. Trucking and motor freight terminals.
10. Water treatment plants and reservoirs.

#### **Section 1702 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

#### **Section 1703 Required Conditions**

No Zoning Certificate shall be issued for "I-2" use until the applicant shall have certified to the Zoning Inspector that:

- A. Where the property lines separate an Industrial District from a Residential District, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  2. A fence of a non-deteriorating material.
  3. Masonry wall.
- B. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 34.
- C. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the businesses involved shall be taken.
- D. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means.
- E. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.

- F. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.
- G. Any operation that produces intense glare or heat shall be performed within a completely enclosed building or structure and exposed sources of light shall be screened so as not to be detectable at the lot line.
- H. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon property located in any Residential District or upon any public street.
- I. No building or structure shall be used for residential purposes except that a watchman or custodian may reside on the premises.
- J. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar materials, and except for parking areas, the grounds shall be planted and landscaped.
- K. The storage, utilization and manufacture of solid, liquid and gaseous chemicals and other materials shall be permitted subject to the following conditions:
  - 1. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted; but only if said materials or products are stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.
  - 2. All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gases shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate fire fighting and suppression equipment and devices standard to the industry involved. All above-ground storage shall be in enclosed fireproof vaults.
  - 3. The storage, utilization or manufacture of pyrophoric and explosive powders and dusts, and of materials and products which decompose by detonation is prohibited.
  - 4. The manufacture of flammable liquids or materials which produce flammable or explosive vapors or gases is prohibited.
  - 5. The storage and utilization of flammable liquids, or of materials that produce flammable or explosive vapors or

gases shall be permitted on any lot in accordance with the following table:

**Total Permitted Quantities of Flammable Materials in Gallons**

<b>Closed Cup Flashpoint in Degrees F.</b>	<b>Above Ground</b>	<b>Below Ground</b>
Class I below 100 degrees F	I Not permitted	60,000
Class II above 100 degrees F and below 140 degrees F	II 3,000	120,000
Class III above 140 degrees F	III 15,000	240,000

- L. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in strict conformance with:
1. The applicable regulations of the Atomic Energy Commission.
  2. The applicable regulations of any instrumentality of the State of Ohio.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation for prosecution under the terms of this Resolution.

**Section 1705 Development Standards**

See Article 26, Schedule of Regulations and Chapters III and IV, General and Special Regulations.

<p style="text-align: center;"><b>ARTICLE 18</b> <b>"I-3" HEAVY INDUSTRIAL DISTRICT</b></p>
---

**Section 1800 Intent**

This district is established to accommodate industrial uses not provided for in other Industrial Zoning Districts.

**Section 1801 Principal Permitted Uses**

- A. Any use permitted in Section 1701; however, the required conditions of Section 1805 shall be applicable.
- B. Any industrial activity, such as those enumerated below as examples, which fulfill all the requirements of the other sections of this Article.
  - 1. Asphalt or asphalt products.
  - 2. Ammonia or chlorine manufacturing and storage.
  - 3. Boiler shops.
  - 4. Celluloid or cellulose products and manufacturing.
  - 5. Cement, lime or lime products manufacturing.
  - 6. Coal, tar, and creosote manufacturing.
  - 7. Coke ovens.
  - 8. Drop-forge plants.
  - 9. Fat rendering
  - 10. Fertilizer manufacturing.
  - 11. Foundries and foundry products.
  - 12. Garbage or offal reduction or transfer.
  - 13. Glue manufacturing.
  - 14. Incinerators.
  - 15. Petroleum refining plants.

16. Rubber manufacturing from crude or scrap material or the manufacturing of articles therefrom.
17. Sewage treatment plants.
18. Soap and detergent manufacturing from raw materials.
19. Stockyards, shambles, and slaughterhouses.
20. Stone products processing and manufacturing.
21. Turpentine, varnish, or paint manufacturing.

#### **Section 1802 Conditional Uses**

The following Conditional Uses are subject to approval in accordance with Article 39, Section 3906.

- A. The following uses subject to the conditions for Conditional Uses, Section 1803 A.
  1. Manufacturing and bulk storage of corrosive acids and derivations and bulk storage stations for liquid fuels, petroleum products, petroleum and volatile oils.
  2. Manufacturing of flammable liquids or materials which produce flammable or explosive vapors or gases.
  3. Storage, utilization or manufacturing of pyrophoric and explosive powders and dusts, and of materials and products which decompose by detonation.
- B. The following uses subject to the conditions for Conditional Uses, Section 1803 B.
  1. Junk yards.

#### **Section 1803 Conditions for Conditional Uses**

- A. Uses of the type exemplified by Section 1802 A shall be confined to tracts located at least one thousand (1,000) feet from any property where residents are permitted by this Zoning Resolution.
- B. Junk yards subject to the requirements of Section 1802 B shall be confined to tracts located at least six hundred (600) feet from any property zoned for residential purposes, shall observe fifty (50) foot front yard setback, and shall comply with Chapter 4737 of the Ohio Revised Code.



#### **Section 1804 Accessory Uses**

- A. Accessory uses, buildings, or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

#### **Section 1805 Required Conditions**

No Zoning Certificate shall be issued for "I-3" use until the applicant shall have certified to the Zoning Inspector that:

- A. Where the property lines separate an Industrial District from a Residential District, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot line, which may consist of any of the following:
  - 1. An evergreen hedge used with a chain link fence not less than three (3) feet in height.
  - 2. A fence of a non-deteriorating material.
  - 3. Masonry wall.
- B. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 34.
- C. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the businesses involved shall be taken.
- D. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Clark County Health Department. Dust and other types of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means.
- E. There will be no emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- F. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.

- G. Any operation that produces intense glare or heat shall be performed within a completely enclosed building or structure and exposed sources of light shall be screened so as not to be detectable at the lot line.
- H. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon property located in any Residential District or upon any public street.
- I. No building or structure shall be used for residential purposes except that a watchman or custodian may reside on the premises.
- J. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, Terrazzo or similar materials, and except for parking areas, the grounds shall be planted and landscaped.
- K. The storage, utilization and manufacture of solid, liquid and gaseous chemicals and other materials shall be permitted subject to the following conditions:
  - 1. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted; but only if said materials or products are stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.
  - 2. All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gases shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate fire fighting and suppression equipment and devices standard to the industry involved. All above-ground storage shall be in enclosed fireproof vaults.
  - 3. The storage, utilization or manufacture of pyrophoric and explosive powders and dusts, and of materials and products which decompose by detonation is prohibited.
  - 4. The manufacture of flammable liquids or materials which produce flammable or explosive vapors or gases is prohibited.
  - 5. The storage and utilization of flammable liquids, or of materials that produce flammable or explosive vapors or gases shall be permitted on any lot in accordance with the following table:

### Total Permitted Quantities of Flammable Materials in Gallons

Closed Cup Flashpoint in Degrees F.	Above Ground	Below Ground
Class I below 100 degrees F	I Not permitted	Unlimited
Class II above 100 degrees F and below 140 degrees F	II Unlimited	Unlimited
Class III above 140 degrees F	III Unlimited	Unlimited

L. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in strict conformance with:

1. The applicable regulations of the Atomic Energy Commission.
2. The applicable regulations of any instrumentality of the State of Ohio.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation for prosecution under the terms of this Resolution.

### Section 1806 Development Standards

See Article 26, Schedule of Regulations and Chapters III and IV, General and Special Regulations.



## **ARTICLE 19**

### **"F" FLOOD PLAIN DISTRICT**

#### **Section 1900 Intent**

Certain areas within the unincorporated area of Springfield Township, Ohio, are not readily usable or suitable for residential, commercial, or industrial uses and should be reserved as conservation areas. Such areas may be subject to periodic flooding which makes development contrary to the public interest. These areas are flood plain districts. The areas are based on three (3) sources of information.

1. Flood Administration, Flood Hazard Boundary Maps;
2. Flood Plain Management Study, elected streams in Clark County, Ohio; and
3. Any other relevant document or map based on ground engineering principals and accepted by the Township Zoning Inspectors.

#### **Section 1901 Principal Permitted Uses**

- A. Agricultural operations, according to Article 2, Section 201.02, but this shall not include or permit the spreading, accumulation, feeding or use of garbage in any manner on the open surface of the ground.
- B. Forestry.
- C. Wildlife refuse, fish hatchery, or wildlife propagation.

#### **Section 1902 Conditional Uses**

The following Conditional Uses subject to approval in accordance with Article 39, Section 3906.

- A. Before taking action on such request, the Board shall secure a written recommendation from the Clark County Springfield Planning Commission and applicable Conservancy District regarding the advisability and approval of the request and conditions for the proper operation of the proposed use.
  1. Public and private park recreation areas to include parks, playgrounds, picnic grounds, golf courses, and fishing lakes; also, boat docks, private and commercial, including

leasing of fishing and recreational equipment and sale of  
bail.

2. Riding stables, provided that any building in which the  
animals are housed shall be at least five hundred (500)  
feet distant from any lot or tract in any Residential District.
3. Circus, carnival or similar transient and portable  
amusement enterprises.

## **ARTICLE 20**

### **"NR" NATURAL RESOURCES DISTRICT**

#### **Section 2000 Intent**

The "NR" Natural Resources District is designated with the recognition that the sand and gravel deposits within the Township's land area are unrenowable material resources necessary and beneficial to the economy of the Township and the regional area about it and the welfare of its citizens. To provide for the utilization of this resource in a manner compatible with nearby residential areas, and to insure complete restoration of the sand and gravel areas ready for another land use at the conclusion of excavation and treatment, this Natural Resources District is hereby established.

#### **Section 2001 Principal Permitted Uses**

- A. Extraction of sand and gravel.
- B. Processing of sand and gravel.
- C. Mining of deposits of limestone or other similar material.

#### **Section 2002 Conditional Requirements**

No Zoning Certificate shall be issued for a "NR" use until the applicant shall have certified to the Zoning Inspector that he meets the following requirements of this and subsequent sections of Article 20.

- A. The removal of sand, gravel, limestone, or similar materials by excavation, stripping, mining or otherwise taking and including on-site operations appurtenant to the taking including washing, grading, storing, grinding operations shall be carried on within the limits of the "NR" District. All extraction from new pits begun subsequent to the effective date of this Resolution shall be washed, graded, and further processed and/or stored within the limits of the "NR District; no material resource extracted outside the limits of this district shall be brought in for washing, grading, or further processing, except in the event of a public emergency as declared by the Township Board of Trustees requiring the use of said Natural Resources. Resources related industries including, but not limited to: concrete batching plants and asphalt mixed plants shall not be permitted as a part of this Natural Resources District.

- E. Fencing or other suitable barrier, including the planting of multi-flora rose, shall be erected and maintained around the entire site or portions thereof where in the opinion of the Trustees, such fencing or barrier is necessary for the protection of the public safety and shall be of a type specified by the Trustees.
- F. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in a dust-free condition by surfacing or other treatment as may be specified by the Trustees.
- G. Quarrying shall be carried out closer than three hundred (300) feet to any adjoining property line unless the written consent of such adjoining property owner has first been obtained.

#### **Section 2005 Rehabilitation Requirements**

All mined-out areas shall, within a reasonable length of time, be reclaimed and rehabilitated and the Trustees, at their discretion, may fix a bond in a reasonable amount to assure that such rehabilitation and reclamation will be carried out. The Trustees shall be guided by the following standards with respect to the rehabilitation and reclamation of mined-out areas:

- A. All excavation shall be made either to a water producing depth, such depth to be not less than five (5) feet below the water mark, or shall be graded or back-filled with non-noxious, non-combustible and non-inflammable solids, to secure:
  - 1. That the excavated area shall not collect and permit to remain therein, stagnant water; or,
  - 2. That the surface of such areas which is not permanently submerged is graded or back-filled as necessary so as to reduce the peaks and depressions thereof so as to produce a gently rolling surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
- B. The banks of all sand and gravel excavation in a water producing excavation, and to the pit bottom in a dry operation, shall be sloped to the water line, at slope which will not be less than three (3) feet horizontal to one (1) foot vertical and said banks shall be restored with vegetation in a manner set forth in paragraph C.
- C. Vegetation shall be restored by the spreading of sufficient soil and by appropriate seeding of grasses or planting of shrubs and trees in all parts of said mining area where the same is not submerged under water.
- D. Proper drainage shall be provided for the mined-out area.



- E. All equipment and structures shall be removed from the mined-out area within six (6) months of the completion of the mining therefrom.
- F. The Trustees may impose such other reasonable conditions and restrictions as they deem necessary for the protection of the public and to encourage the mining and processing of the sand and gravel from the authorized area.
- G. Due to the inherent difficulties in reclaiming and rehabilitating areas from which stone has been quarried, the Trustees are hereby empowered to impose reasonable standards for reclamation as may be necessary to protect the public interest, without unduly restricting the operations of the mine owner.



## **ARTICLE 21**

### **PLANNED DEVELOPMENT DISTRICTS**

#### **Section 2100 Intent**

Planned Development Districts have been established and shall be permitted as amendments to the Zoning Map, but in both cases require application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. Regulations set forth herein are adapted to unified planning and development in such districts. Applications for Planned Development (either by a rezoning amendment or when such tract is within a Planned Development District), will be granted only when the Development Plan for the project is such that the public health, safety and morals will not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district.

#### **Section 2101 Application**

The provisions of Articles 22, 23, 24, and 25 shall apply to a tract of land for a Planned Development as defined in Sub-section 216.01.

#### **Section 2102 Types of Planned Development**

- "PD-1" Planned Residential District
- "PD-2" Planned Office District
- "PD-3" Planned Business District
- "PD-4" Planned Industrial District

#### **Section 2103 Standards for Planned Development**

The Board of Township Trustees shall not approve an application for Planned Development unless it shall, in each specific case, make specific findings of fact directly based upon the particular evidence presented to it, which support conclusions that:

- A. The Planned Development can be substantially completed within the period of time specified in the schedule of development submitted by the developer. The Planned Development will not jeopardize the public health, safety and morals.
- B. The site will be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed Development and the streets and driveways on the site of the proposed development will be adequate to serve the residents or occupants of the proposed Development. Traffic control signals

business and/or industrial uses that are to be included in the proposed Development.

- J. When a Planned development includes provisions for a common open space, or recreational facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by an entity other than a governmental authority, copies of the proposed articles of incorporation and bylaws of such entity shall be submitted.
- K. Copies of any restrictive covenants that are to be recorded with respect to property included in the Planned Development District.
- L. Evidence of applicant's ability to post a bond if the Plan is approved, assuring completion of the public service facility to be constructed within the project by the developer.

#### **2104.03 Action by the Springfield Township Zoning Commission**

The Springfield Township Zoning Commission shall hold a public hearing on the Development Plan as provided by Article 6 of this Resolution.

Such public hearing shall consider all aspects of the Development Plan including all proposed stages and/or units of development. Within thirty (30) days after the last public hearing on such Plan, the Commission shall prepare and transmit to the applicant specific findings of fact with respect to the extent to which the Development Plan complies with the standards set out in Section 2104 of this Article and the District for which the change has been requested, together with its recommendations to the Board of Township Trustees with respect to the action to be taken on the Development Plan. The Commission may recommend disapproval, approval, or approval with amendments, conditions, or restrictions. Copies of the findings and recommendations of the Commission shall be made available to any other interested person(s).

#### **2104.04 Final Development Plan**

Prior to the Board of Township Trustees public hearing, the applicant shall submit a reproducible Final Development Plan showing the information on the Development Plan and any additional information which the Township Zoning Commission requires to be shown to properly describe the Planned Development which was approved and agreed to by the applicant. This Plan shall be made part of the Resolution when the Planned Development is approved by the Board of Township Trustees.

#### **2104.05 Action by the Board of Township Trustees**

The Board of Springfield Township Trustees shall hold a public hearing on the Development Plan as provided by Article 40 of this Resolution. If the application is granted, the area of land involved, if not within a

Planned Development District, shall be redesignated as a "PD-1", "PD-2", "PD-3", or a "PD-4" District by Resolution and such Resolution shall incorporate the Plan, including any condition or restriction that may be imposed by the Board of Springfield Township Trustees.

In the event an agreement on a Planned Development, within an established Planned Development District, cannot be reached the following district regulations shall apply:

<b>Planned Development District</b>	<b>Appropriate District Regulations</b>
"PD-1"	"R-1"
"PD-2"	"O-2"
"PD-3"	"B-2"
"PD-4"	"I-1"

#### **2104.06 Subdivision Plat Required**

No building permit shall be issued for any structure in any portion of a Planned Development unless and until the final subdivision plat for the portion has been approved by the Clark County-Springfield Planning Commission and recorded.

#### **2104.07 Expiration Date for Development Plan Approval**

##### **A. Single Stage Development Plans**

The approval of the Development Plan shall become null and void and the land shall revert to its former zoning classification unless within two (2) years, the subdivision plat shall have been recorded in the records of the Clark County Recorder.

##### **B. Multi-Stage Development Plans**

When the recording of the subdivision plat for the successive stages falls more than two (2) years behind the schedule submitted under Section 2104.02E, the Development Plan shall become null.



## **ARTICLE 22**

### **"PD-1" PLANNED RESIDENTIAL DISTRICT**

#### **Section 2201 Principal Permitted Uses**

- A. Residential use developed in a unified manner in accordance with the approved Development Plan.
- B. Other uses may be permitted if specifically approved as part of the Plan, provided that the areas and structures occupied shall be so located and designed as to protect the character of the surrounding property, and provided further that convenience establishments shall be subject to additional requirements as herein specified:
  - 1. Convenience Establishments.
    - a. Such establishments and their parking areas shall not occupy more than five (5) percent of the total area of the development.
    - b. Such establishment shall be limited to those permitted in the "B-1" Business District and shall fulfill all the requirements of Article 11.
    - c. Such establishments shall be so located, designed and operated as to serve primarily the needs of persons within the Development Plan and persons residing elsewhere.
    - d. Off-street parking and loading requirements shall be appropriate to the particular case based upon the types of convenience establishments permitted and the anticipated proportion of walk-in trade. Multiple use of off-street parking and service areas and access ways for convenience establishments may be permitted if such multiple use will not lead to congestion or the creation of hazards to pedestrian or vehicular traffic.

#### **Section 2202 Development Standards**

In addition to the provision of Chapters III and IV, General Regulations and Special Regulations, the development Plan must comply with the following:

### **2202.01 Area Requirements**

The minimum land area required for a Planned Residential District shall be five (5) acres.

### **2202.02 Land Use Intensity**

The relationship between the size of the tract, the floor area of the structure, the open space, the living space and the recreation space in any given Planned Development shall, as set forth in Article 41 for the LUI Index Number, be selected by the applicant.

### **2202.03 Site Planning**

- A. The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances, or inconveniences.
- B. The site must have direct access to a major street without creating traffic on minor residential streets outside the district. Must either be so located in relation to utilities and public facilities existing or to be developed that no additional public cost be involved.
- C. Efficient, safe, convenient, and harmonious grouping of structure, uses, and facilities. Appropriate relation of space inside and outside building to intended uses and structural features.
- D. Appropriate relation of space inside and outside building to intended uses and structural features.
- E. Vehicular access to streets and pedestrian ways.
- F. Protection of pedestrian and traffic visibility.
- G. Location of common open space.
- H. Screening of off-street parking areas, and service areas for loading and unloading vehicles, and areas for storage and collection of trash and garbage.
- I. Where the Planned Residential District abuts another Residential District, a permanent open space at least twenty-five (25) feet wide shall be provided along property lines. A ten (10) foot depth along the property lines shall be maintained in landscaping and no driveway or off-street parking shall be permitted in such areas.



#### **2202.04 Parking and Loading**

Off-street parking and loading spaces shall be required as set forth under Article 32 and Article 33 of this Resolution.



## **ARTICLE 23**

### **"PD-2" PLANNED OFFICE DISTRICT**

#### **Section 2301 Principal Permitted Uses**

- A. Office establishments developed, operated, and maintained within an organized development of associated office activities in accordance with an approved Development Plan.
- B. Residential uses developed in a unified manner in accordance with Article 22.

#### **Section 2302 Development Standards**

In addition to the provisions of Chapters III and IV, General Regulations and Special Regulations, the following standards for arrangement and development of land and buildings are required in the "PD-2" Planned Office District.

##### **2302.01 Area Requirements**

The minimum area for a Planned Office District shall be five (5) acres.

##### **2302.02 Land Occupancy By Buildings**

Total land occupancy by all buildings for an office park shall not exceed sixty (60) percent of the area of the tract, provided however, that underground parking structures, the highest of which are not more than thirty (30) inches above the level of the centerline of the nearest adjacent street, shall not be included in computations of land occupancy by buildings.

##### **2302.03 Open Space Requirements**

Open space shall be twenty (20) percent of the land area and shall not be used or occupied by automotive vehicles. Such space shall be reserved for landscaping, and its location, use and other improvements shall be consistent with the character of the site and its relation to the general area in which it is located.

##### **2302.04 Relation to Major Transportation Facilities**

There shall be direct access to at least one (1) major thoroughfare, as established on the Official Thoroughfare Plan for Clark County, Ohio.

### **2302.05 Site Planning**

The same requirements applicable to Planned Residential Districts, as set forth in sub-section 2202.07 of Article 21 shall apply to Planned Office Districts. In addition, yards with a minimum width of twenty-five (25) feet shall be provided along all property lines, except where it adjoins a Business or Industrial District. Landscaping and use of such yards shall be as follows:

- A. Along thoroughfares or collector streets, as established on the Official Thoroughfare Plan for Clark County, Ohio, the nearest ten (10) feet to the right-of-way shall be maintained in landscaping, unless turnout or merging lands, in which case the nearest ten (10) feet to the turnout of merging lane shall be landscaped.
- B. Where lots in Residential Districts front onto residential streets at the boundary of a Planned Office District, the nearest twenty-five (25) feet shall be maintained in landscaping and no off-street parking shall be permitted in such area. Vehicular access through such landscaped strip shall be permitted.
- C. All other yards within the Development Plan, except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a ten (10) foot depth along the property lines.

### **2302.06 Parking and Loading**

Off-street parking and loading spaces shall be required as set forth under Article 32 and Article 33 of this Resolution.

## **ARTICLE 24**

### **"PD-3" PLANNED BUSINESS DISTRICT**

#### **Section 2401 Principal Permitted Uses**

- A. Retail, service and office establishments developed, operated and maintained within an organized development of associated activities in accordance with the approved Development Plan.
- B. Residential uses developed in a unified manner in accordance with Article 22.

#### **Section 2402 Development Standards**

In addition to the provisions of Chapters III and IV, General Regulations and Special Regulations, the following standards for arrangement and development of land and buildings are required in the "PD-3" Planned Business District.

##### **2402.01 Area Requirements**

The minimum area for a Planned Business District shall be five (5) acres.

##### **2402.02 Land Occupancy by Buildings**

Total land occupancy by all buildings for a Business District shall not exceed sixty (60) percent of the area of the tract, provided, however, that underground parking structures, the highest portions of which are not more than thirty (30) inches above the level of the centerline of the nearest adjacent street, shall not be included in computations of land occupancy by buildings.

##### **2402.03 Relations to Major Transportation Facilities**

- A. Planned Business Districts less than twenty (20) acres in area shall have direct access to at least one (1) major thoroughfare, as established on the Official Thoroughfare Plan for Clark County, Ohio.
- B. Planned Business Districts more than twenty (20) acres in area shall have direct access to at least two (2) major thoroughfares as established on the Official Thoroughfare Plan for Clark County, Ohio.

#### **2402.04 Site Planning**

The same requirements applicable to Planned Residential Districts, as set forth in sub-section 2202.03 of Article 21 shall apply to Planned Office Districts. In addition, yards with a minimum width of fifty (50) feet shall be provided along all property lines, except where it adjoins a Business or Industrial District. Landscaping and use of such yards shall be as follows:

- A. Along thoroughfares or collector streets, as established on the Official Thoroughfare Plan for Clark County, Ohio, the nearest twenty (20) feet to the right-of-way shall be maintained in landscaping, unless turnout or merging lands, in which case the nearest twenty (20) feet to the turnout of merging lane shall be landscaped.
- B. Where lots in Residential Districts front onto residential streets at the boundary of a Planned Office District, the nearest thirty (30) feet shall be maintained in landscaping and no off-street parking shall be permitted in such area. Vehicular access through such landscaped strip shall be permitted only for convenience of residents of adjoining residential areas, or for access to dwelling units within the Planned Business District and not for use by the general public.
- C. All other yards within the Development Plan, except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a twenty (20) foot depth along the property lines.
- D. Where residential uses separate the retail service and office uses from a Residential District, the yard requirements of Article 23 shall be applicable.

#### **2402.05 Off-Street Parking and Loading Requirements**

Off-street parking shall be provided at the minimum ratio of 5.5 spaces per one thousand (1,000) feet of gross leasable area. In addition, two (2) off-street parking spaces shall be provided for each dwelling or lodging unit. *Gross leasable area* shall mean total floor area designed for tenant occupancy and use, including basements, expressed in square feet measured from the centerline of adjoining partition and from the outside wall faces; but shall exclude parking areas in structures reserved for tenant use and occupancy.

A minimum of two (2) percent of the area devoted to off-street parking shall be maintained in landscaping in such parking areas.

Off-street loading space shall be provided with area, location and design appropriate to the needs of the shipping center and specific uses within it, and no space designated for off-street parking shall be used as off-street loading space.





<p style="text-align: center;"><b>ARTICLE 25</b> <b>"PD-4" PLANNED INDUSTRIAL</b></p>
---

**Section 2501 Principal Permitted Uses**

- A. Manufacturing, processing, warehousing, and industrial service activities developed, operated, and maintained within an organized development of associated activities in accordance with the Approved Development Plan.

**Section 2502 Development Standards**

In addition to the provisions of Chapters III and IV, General Regulations and Special Regulations, the following standards for arrangement and development of land and buildings are required in the "PD-4" Planned Industrial District.

**2502.01 Area Requirements**

The minimum area for an Industrial District shall be five (5) acres.

**2502.02 Land Occupancy By Buildings**

Total land occupancy by all buildings for an Industrial District shall not exceed sixty (60) percent of the area of the tract.

**2502.03 Relation to Major Transportation Facilities**

- A. Industrial Parks shall have direct access to at least one major thoroughfare as established on the Official Thoroughfare Plan for Clark County, Ohio.

**2502.04 Site Planning**

The same requirements applicable to Planned Residential Districts, as set forth in sub-section 2202.07 of Article 22 shall apply to Planned Industrial Districts. In addition, yards with a minimum width of one hundred (100) feet shall be provided along all property lines, except where it adjoins a Business or another Industrial District. Landscaping and use of such yards shall be as follows:

- A. Along thoroughfares or collector streets, as established on the Official Thoroughfare Plan for Clark County, Ohio, the nearest thirty (30) feet to the right-of-way shall be maintained in landscaping, unless turnout or merging lands, in which case the nearest thirty (30) feet to the turnout of merging lane shall be landscaped.

- B. Where lots in Residential Districts front onto residential streets at the boundary of a Planned Office District, the nearest fifty (50) feet shall be maintained in landscaping and no off street parking shall be permitted in such area. Vehicular access through such landscaped strip shall be permitted only for convenience of residents of adjoining residential areas, or for access to dwelling units within the Planned Business District and not for use by the general public.
- C. All other yards within the Development Plan, except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a thirty (30) foot depth along the property lines.

#### **2502.06 Parking and Loading**

Off-street parking and loading spaces shall be required as set forth under Article 32 and Article 33 of this Resolution.

Off-street loading space shall be provided with area, location and design appropriate to the needs of the Industrial Park and specific uses with it, and no space designated for off-street parking shall be used as off-street loading space.

**ARTICLE 26**  
**SCHEDULE OF REGULATIONS:**  
**SITE PLAN REQUIREMENTS**

Section 2600 Schedule Limiting Height, Bulk, Density, and Area by Zoning District

See Table on next page

- I. Public water and sewer approved by the Ohio EPA or the County Health Department are required for multiple family dwellings.
- J. Residential lots whose width is less than sixty-three (63) feet wide, the set-back distance will be three (3) feet; residential lots whose width is sixty-three (63) feet to seventy-five (75) feet, the set-back distance for garages will be five (5) feet; residential lots whose width ranges seventy-six (76) feet to ninety (90) feet, the set-back distance for garages will be eight (8) feet.

## **Section 2601 Subdivision Open Space Plan**

### **2601.01 Intent**

The intent of the Subdivision Open Space Plan is to promote the following objectives:

- A. Provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, hills and similar natural assets.
- B. Encourage developers to use a more creative approach in the development of residential area.
- C. Encourage a more efficient, aesthetic and desirable use of open space while recognizing a reduction in development costs and by allowing the developer to by-pass natural obstacles on the site.
- D. Encourage the provision of open space with reasonable distance to all lot development of the subdivision and to further encourage the development of recreational facilities.

### **2601.02 Procedure**

Modifications to the standards as outlined in Section 2600, *Schedule of Regulations*, may be made in the One Family Residential Districts when the following conditions are met:

- A. The lot area in all One Family Residential Districts, which are served by a public sanitary sewer and water system, may be reduced up to twenty (20) percent. In the "R-4" District this reduction may be accomplished in part by reducing the lot widths up to five (5) feet. In the "R-1", "R-2", and "R-3" Districts, this lot width reduction may be up to ten (10) feet. These lot area reductions shall be permitted provided that the dwelling unit density shall be no greater than if the land area to be subdivided where developed in the minimum square foot lot areas as required under Section 2600. All calculations shall be predicted upon the One Family Districts having the following gross densities (including roads):

"R-1" = 2.2 Dwelling units per acre  
"R-2" = 2.8 Dwelling units per acre  
"R-3" = 3.4 Dwelling units per acre  
"R-4" = 4.2 Dwelling units per acre

- B. Rear yards may be reduced to thirty (30) feet when such lots border on land dedicated for park, recreation, and/or open space purposes, provided that the width of said dedicated land shall not be less than ninety (90) feet measured at the point at which it abuts the rear yard of the adjacent lot.
- C. Dedicated land shall not include bodies of water, swamps or land with excessive grades making it suitable for recreation. All dedicated land shall be so graded and developed as to have natural drainage. The entire area may, however, be located in a flood plain.
- D. The developer or subdivision shall dedicate the total park area at the time of filing the final plat.

## **Section 2602 Site Plan Review**

### **2602.01 Site Plan**

A Site Plan shall be submitted to the Zoning Inspector for approval of:

- A. Any use or development for which the submission of a Site Plan is required by any provision of this Resolution.
- B. Any development, including Single Family Residential, for which off-street parking areas are provided as required by Article 33.
- C. Any use which lies contiguous to a major thoroughfare.
- D. All residentially related uses permitted as Single Family Residential Districts such as, but not limited to: churches, schools, and public facilities.

### **2602.02 Site Plan Format**

Each Site Plan submitted to the Zoning Commission in accordance with the requirements of this Resolution shall contain such information and be in such form as the Zoning Commission may prescribe in its rules. Fees for the review of Site Plans shall be established by Resolution of the Township Board of Trustees.

### **2602.03 Site Plan Review**

In the process of reviewing the Site Plan, the Zoning Commission shall consider:

- A. Residential developments designed in accordance with this Zoning Resolution.
- B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
  - 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
  - 2. Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
- C. The Zoning Commission may further require landscaping, fences and walls in pursuance of these objective and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.

# **CHAPTER III**

## **GENERAL REGULATIONS**





## **ARTICLE 27**

### **EXISTING AND NON-CONFORMING USES**

#### **Section 2701 Conformance Required**

Except as hereinafter specified, no land, building, structure or premises be used, and no building or part thereof, or other structures shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which it is located.

#### **Section 2702 Non-conforming Vacant Lots**

##### **2702.01 Non-Conforming Lots of Record**

If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership, are of record at the time of passage or amendment of this Resolution, and if all or part of the lots do not meet the requirements for lot width and area, the land involved shall be considered to be an undivided parcel for the purpose of this Resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by the Resolution, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Resolution.

##### **2702.02 Non-Conforming Vacant Lots in Residential District**

In any district where dwellings are permitted, a one (1) family detached dwelling may be erected on any lot of official record as of the effective date of the Revised Zoning Resolution of this Township, Subsection 2702.01, withstanding, when by reason of its lot area, width or depth, it does not meet minimum requirements for a lot under these regulations provided, however, that no lot shall be deemed to be less than forty (40) feet wide for the calculation of yard requirements and provided further:

- A. The sum of the side yard width on any such lot of record shall be at least twenty-five (25) percent of the width of the lot.
- B. In no case shall the width of any side yard be less than ten (10) percent of the width of the lot, except that on a corner lot, the width of side yard adjoining the side street lot line shall be not less than ten (10) feet.
- C. The depth of the rear yard of any such lot need not exceed, but in no case shall it be less than twenty (20) feet.

- A. A non-conforming use may be extended throughout any part of such building or other structure that was lawfully and manifestly designed or arranged for such use on the effective date of this Resolution.
- B. The Board may permit either an expansion of a non-conforming building or structure, or a substitution of a non-conforming use in such a building or structure, but not both.
- C. A non-conforming building or structure may be extended or enlarged upon the lot occupied by such building on the effective date of this Resolution or on an adjoining lot, provided such lot was under the same ownership as the lot in question on the effective date of this Resolution. Such non-conforming building may be enlarged or extended to an extent not exceeding twenty-five (25) percent of the gross floor area of such non-conforming structure or building lawfully existing at the time of the adoption of this Resolution.
- D. The extension or enlargement of a non-conforming building or structure may not occupy ground space suitable and otherwise available for meeting the off-street parking requirements of this Resolution.
- E. A non-conforming use of land may not be extended, enlarged, or increased in intensity.
- F. Nothing contained in this section shall in any way prohibit a non-conforming use from acquiring additional off-street parking space.
- G. Application for an extension or enlargement in accordance with paragraphs A through F shall be noticed and heard in the manner prescribed for appeals in Section 3704 hereof.

#### **2704.04 Damage or Destruction**

In the event that any building or other structure that is devoted in whole or in part to a non-conforming use is damaged or destroyed by any means, to such an extent that the cost of restoration to the condition in which it was before such damage or destruction exceeds fifty (50) percent of the current replacement costs of the entire building or other structure, exclusive of foundation, such building or other structure shall not be restored unless such building or other structure and the use thereof shall thereafter conform to the regulations for the district in which it is located. Moreover, even if such damage is fifty (50) percent or less, no repairs or restoration shall be made unless a building permit is obtain, and restoration is actually begun within one (1) year after the date of such destruction.

#### **2704.05 Moving**

No structure devoted in whole or in part to a non-conforming use, shall be moved to any other location on the same lot or any other lot unless the entire structure and the use thereof shall thereafter conform to the regulations of the district in which it will be located after being so moved. Moreover, no nonconforming land use shall be relocated, in whole or in part, to any other location on the same or any other lot unless such use shall thereafter conform to the regulations of the district in which it is located after being moved.

#### **2704.06 Change**

The Board of Zoning Appeals may permit a substitution for a non-conforming use in a building or structure lawfully existing at the time of adoption of this Resolution subject to the following conditions:

- A. The Board may permit either an expansion of a non-conforming building or structure or a substitution of a non-conforming use, but not both.
- B. A non-conforming use of land may not be changed.
- C. Application for a substitution in accordance with paragraph (A) shall be noted and heard in the manner prescribed for appeals in Section 3904 hereof.

#### **2704.07 Discontinuance**

- A. Discontinuance of non-conforming use of land:

In the event that operation of non-conforming use of land is voluntarily discontinued for a period of two (2) years, such non-conforming use shall not thereafter be re-established and any subsequent use or occupancy of such land shall conform to the regulations of the district in which it is located.

- B. Discontinuance of non-conforming use of buildings or structures:

In the event that operation of a non-conforming use of all or part of a building or structure is voluntarily discontinued for a period of two (2) years, such non-conforming use shall not thereafter be re-established and any subsequent use or occupancy of such building or other structure shall conform to the regulations of the district in which it is located.

#### **2704.08 Non-Conforming Accessory Uses**

No non-conforming accessory uses shall continue after the principal use to which it is accessory has been discontinued.



<p style="text-align: center;"><b>ARTICLE 28</b> <b>PROVISION AFFECTING AREA, YARDS,</b> <b>AND COURTS</b></p>
--

**Section 2801 Street Frontage Required**

Except as permitted by other provisions of the Zoning Resolution, no lot shall contain any building used in whole or in part for residential purposes unless such lot abuts for its full frontage on a dedicated street; and there shall be no more than one (1) single family dwelling for such frontage.

**Section 2802 Traffic Visibility Across Corner Lots**

No fence, wall, shrubbery, sign, or other obstruction to vision above a height of two (2) feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.

**Section 2803 Reduction of Area or Space**

No lot, yard, court, parking area or other space shall be reduced in area or dimension, thereby making said area or dimension less than minimum required by this Zoning Resolution; and, if already less than the minimum required by this Zoning Resolution, said area or dimension shall not be further reduced. No part of a yard, court, parking area or other space provided above, or for, any building or structure for the purposes of complying with the provisions of this Zoning Resolution, shall be included as part of a yard, court, parking area or other space required under this Zoning Resolution, for another building or structure.

**Section 2804 Off-Street Parking and Loading**

In any district, spaces for off-street parking and for loading or unloading shall be provided in accordance with the provisions of Article 32 and 33.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264	1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280	1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312	1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328	1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344	1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360	1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376	1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408	1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429	1430	1431	1432	1433	1434	1435	1436	1437	1438	1439	1440	1441	1442	1443	1444	1445	1446	1447	1448	1449	1450	1451	1452	1453	1454	1455	1456	1457	1458	1459	1460	1461	1462	1463	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475	1476	1477	1478	1479	1480	1481	1482	1483	1484	1485	1486	1487	1488	1489	1490	1491	1492	1493	1494	1495	14
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	----

## ARTICLE 29 ACCESSORY USES

### Section 2901 Permitted Accessory Uses – Residential, Office, Office-Residential, and Agricultural Districts

The following accessory uses are permitted in each Residential District and the Residential-Office District.

- A. Private garages or carports.
- B. A structure for storage incidental to a permitted use.
- C. A guest house (without kitchen facilities) or rooms for guests in an accessory building, provided such facilities are used for the occasional housing of guests of the occupants of the principal building and not as rental units or for permanent occupancy.
- D. A swimming pool, bathhouse and other recreational facilities designed for the use of the occupants of a single-family dwelling and their guests.
- E. A child's playhouse, tree house, birdhouse.
- F. Statuary, arbors, trellises, barbecue equipment, flag poles, fences, play equipment, non-mechanical laundry drying equipment, wall and hedges.
- G. Fallout shelters.
- H. Any other shelter or use customarily found in conjunction with and required for full utilization and enjoyment of the principal use; and which meets the definition of accessory use in Section 201.01.
- I. Recreational equipment subject to the following conditions:
  - 1. Parked or stored camping and recreational equipment s defined by Article 2 shall not be connected to electricity, water, gas, or sanitary sewer facilities; and at no time shall this equipment be used for living or housekeeping purposes.
  - 2. If the camping and recreational equipment is parked or stored outside a garage, it shall be parked or stored to the rear of the house. On corner lots, storage shall not be allowed on the side facing the street.

3. Notwithstanding the provisions of subparagraph 2, camping and recreational equipment may be parked anywhere on the premises for loading or unloading purposes, for a period of not more than forty-eight (48) hours.

#### **Section 2902 Permitted Accessory Uses – Business and Industrial Districts**

In a Business or Industrial District, any use which is customarily found in conjunction with and required for the full utilization and economic viability of the principal use which meets the definition of accessory use in Section 201.01 and which complies to the applicable standards of the district in which it is located is permitted.

#### **Section 2903 Accessory Uses Not Permitted – Residential, Office, Office-Residential, and Agricultural Districts**

None of the following shall be permitted as an accessory use in a Residential or Office District:

- A. Overnight parking or outdoor storage of trucks over one (1) ton crated capacity, buses or mobile homes.
- B. Outdoor storage, unless specifically permitted by the specific zoning district regulations.

#### **Section 2904 Standards**

- A. An accessory building may be erected as an integral part of a principal building or it may be connected thereto by a breezeway or other similar structures.
- B. An accessory building may be erected, detached from the principal building. Except as provided in Article 30, Section 3004 B, no detached accessory building shall be erected in any required yard or court, except a rear yard, and shall not occupy more than twenty-five (25) percent of the area of the required rear yard, or forty (40) percent of the non-required rear yard.
- C. For computing the percentage of occupancy of a rear yard, as required in subsection B hereof, if a detached accessory building is connected to the principal building by a breezeway, the ground area of such breezeway shall be considered as a part of the accessory building and be included in the computation.
- D. A detached accessory building shall not exceed one (1) story or fourteen (14) feet in height in any "R", "O", "B-1" one story or twenty-five (25) feet in any other district.
- E. A detached accessory building shall be at least six (6) feet from the side or rear lot lines.



- F. On a corner lot abutting on the rear, the side lot line or a lot in a Residential District, any accessory building or part thereof within twenty-five (25) feet of the common lot line shall not be closer to the side street lot line than the least depth of the front yard required on such other lot fronting the side street, and in no case shall any part of such accessory building be closer to the side street lot line than the least width of the side yard required for the principal building to which it is accessory.
- G. Except as provided in Article 30, Subsection 3004 B, any accessory building if not located in the rear yard shall be an integral part of, or connected with, the principal building to which it is accessory; and shall be so placed as to meet all yard and court requirements for a principal building of the same height and other dimensions as said accessory building.



**ARTICLE 30**  
**EXCEPTIONS, MODIFICATIONS,**  
**INTERPRETATIONS AND EXEMPTIONS**  
**FROM ZONING PROVISIONS**

**Section 3001 Application**

The requirements and regulations specified hereinbefore in this Zoning Resolution shall be subject to the following exceptions, modifications and interpretations.

**Section 3002 Height Lines**

Height limitations stipulated elsewhere in this Zoning Resolution shall not apply:

- A. To barns, silos, or other farm buildings or structures on farms, provided these are not less than fifty (50) feet from every lot line; to church spires, belfries, cupolas and domes, monuments, water towers, masts and aerials, to parapet walls extending not more than four (4) feet above the limiting height of the building.
- B. To places of public assembly in churches, schools and other permitted public and semi-public buildings, provided that these are located on the first floor of such buildings and may provide that for each three (3) feet by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.
- C. To bulkheads, elevator penthouses, water tanks, monitors, scenery lofts, towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures, where the manufacturing process requires a greater height, provided, however, that all such structures above the heights otherwise permitted in a district shall not occupy more than twenty-five (25) percent of the area of the lot and shall be a distance not less than twenty-five (25) feet in all parts from every lot line.

**Section 3003 Corner Lots**

- A. The area of a corner lot shall be twenty (20) percent greater than the minimum area required for an interior lot.

- B. When the principal building is located with its greatest depth on the long side of a corner lot, the required rear yard may be reduced to a minimum of twenty (20) percent of the average lot depth; but in no case shall the shortest distance, measured horizontally between a part of a building, and the rear lot line, be less than twenty (20) feet.
- C. On all corner lots the principal building shall be set back a minimum of twenty-five (25) feet on each street from the established right-of-way line as shown on the Official Thoroughfare Plan for Clark County, Ohio.

#### **Section 3004 Front Yard Exceptions and Modifications**

- A. In any Zoning District, where the average depth of at least two (2) existing front yards on lots within one hundred (100) feet of the lot in question and within the same block is less or greater than the least front yard depth prescribed elsewhere in this Zoning Resolution, the required depth of the front yard on the lot shall be modified. In such case, this shall not be less than the average depth of said existing front yard, or the average depth of existing front of the two (2) lots immediately adjoining; provided, however, that the depth of a front yard on any lot shall be at least ten (10) feet including all projections nor required to be more than fifty (50) feet.
- B. In any Zoning District where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along said slope, of such a degree of percent of slope that it is not practicable to provide a driveway with a grade of twelve (12) percent or less to a private garage conforming to the requirements of this Zoning Resolution, such garage may be located within such front yard, but not in any case closer than ten (10) feet to the street lines.
- C. All lots in zoning districts fronting on major thoroughfares shall have a front yard depth of not less than thirty-five (35) feet measured from the street right-of-way line.

#### **Section 3005 Double Frontage Lots**

Buildings on lots having frontage on two (2) non-intersecting streets need not have a rear yard if an equivalent open space is provided on the lot in lieu of such required rear yard; applicable front yards must be provided, however, on both streets.

#### **Section 3006 Side Yard Exceptions or Modifications**

Side yard widths may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case, the average width of the side yard shall not be less than the

otherwise required least width; provided, however, that such side yard shall not be narrower at any point than one-half (1/2) the required depth of the front yard on such other lot fronting the side street.

#### **Section 3007 Projections Into Required Yards**

Architectural features may project into required yards or into courts as follows:

- A. Into any required front or side yard adjoining a side street:
  - 1. Cornices, canopies, eaves, or other architectural features may project a distance not to exceed two (2) feet, six (6) inches.
  - 2. Fire escapes may project distance not to exceed four (4) feet, six (6) inches.
  - 3. Open stairs and necessary landing may project a distance not to exceed six (6) feet.
  - 4. A front porch may project into a front yard a distance not to exceed six (6) feet, provided it is open on three (3) sides, except for railing or banisters.
  - 5. Bay windows, balconies, or chimney may project into a yard a distance not to exceed five (5) feet provided, however, that the aggregate width of such projection shall not exceed one-third (1/3) of the length of the wall upon which they are located.
- B. Subject to the limitations in the preceding subsections, the above named features may project into any required side yard adjoining an interior side lot line, a distance not to exceed one-sixth (1/6) of the required least width of such side yard, but not exceeding three (3) feet in any case.
- C. Subject to the limitations in "A" above, the features named therein may project into any required rear yards or into any required outer court the same distance they are permitted to project into a front yard.

#### **Section 3008 Fences, Walls, and Hedges**

- A. A fence, wall, hedge, or shrubbery may be erected, placed, maintained or grown along a lot line in a Residential District or adjacent thereto to a height not exceeding eight (8) feet above the ground level, except that no such fence, wall, hedge, or shrubbery which is located in a required front or corner side yard shall exceed a height of three and one-half (3 ½) feet and shall be

subject to the traffic visibility requirement of Article 2802 for a corner lot.

- B. Recorded lots having a lot area in excess of two (2) acres and a frontage of at least two-hundred (200) feet, and acreage or parcels not included within the boundaries of a recorded plat in all Residential Districts, are excluded from these fence regulations.

#### **Section 3009 Residential Entrance-Way**

In all Residential Districts so called entrance-way structures including, but not limited to walls, columns, and gates making entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in Section 2802. Traffic visibility across corner lots, provided that such entrance-way structures shall comply to all Township and County Codes.

#### **Section 3010 Essential Services**

Essential services shall be permitted as authorized and regulated by law and other resolutions of the County and Township, it being the intention hereof to exempt such essential services from the application of this Zoning Resolution.

#### **Section 3011 Unsafe Buildings**

Nothing in this Zoning Resolution shall prevent the strengthening or restoring to a safe condition any part of a building or structure declared unsafe by proper authority.

#### **Section 3012 Existing Building Permits**

Nothing contained in this Zoning Resolution shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof, for which official approvals and required building permits have been granted before the enactment of this Zoning Resolution, the construction of which, conforming with such plans, shall have been started prior to the effective date of this Zoning Resolution, and continued to completion without interruption, except for causes beyond the builder's control.

# **CHAPTER IV**

## **SPECIAL REGULATIONS**





## **ARTICLE 31**

### **SIGN AND BILLBOARD REGULATIONS**

#### **Section 3101 Permitted Signs For Which No Certificate is Required:**

The following signs shall be permitted in the unincorporated area of Springfield Township that is subject to these Zoning Regulations according to the following regulations. No Zoning Certificate shall be required for any sign constructed or erected under the terms of this Section.

- A. **Signs for Sale, Lease, or Rent** of the premises on which the sign is located. Not more than two (2) signs shall be displayed on any lot or parcel. Such signs shall not be illuminated and shall not exceed six (6) square feet of area per side in any R District and thirty-two (32) square feet of area per side in all other districts with not more than two (2) sides or signs of the same size identifying the builder or contractor. All such signs shall be removed within thirty (30) days after occupancy.
- B. **Vehicular Signs.** Directional or other incidental signs pertaining to vehicular or pedestrian control on private property shall be permitted, provided the said signs are located outside the right-of-way of any public street or road, do not exceed two (2) square feet of area per side, and do not interfere or obstruct visibility when entering or leaving said property.
- C. **Temporary Signs** announcing special, public, or institutional events. Such signs shall not exceed six (6) square feet in area per side in any R District, or thirty-two (32) square feet in area per side if relating to a church, school, community center, or other institutional or public building. Such signs shall not be permitted more than thirty (30) days prior to the planned event nor more than seven (7) days after said event, and no such sign shall be closer than twelve (12) feet to the right-of-way of any public road unless attached to the building.
- D. **Signs Approved in Planned Development Districts.** Plans of development, provided that the approved sign is constructed in strict compliance with the approved guidelines.
- E. **Farm Signs** denoting the name and address of the occupants, denoting produce or products for sale on the premises, and denoting membership in organizations. If such sign is located within one hundred (100) feet of any principal building having a greater setback or front yard than required for such district, such sign shall not be erected nearer the road right-of-way than the



## ARTICLE 33 OFF-STREET PARKING

### Section 3301 Off-Street Parking Required

In connection with every use, there shall be provided, at the time any building or structure is erected, or at the time any building or structure is erected, or at the time any use of land is extended, off-street parking as provided in Section 3303 in this Article, except that no off-street parking space shall be required for uses in existence as of the effective date of this Zoning Resolution.

### Section 3302 Off-Street Parking Requirements

Off-street parking requirements shall be as follows:

<b>GROUP #1 DWELLING AND LODGING USES</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
One and two family dwellings	Two (2) spaces for each dwelling unit
Three family dwellings and mobile home parks	One and one-half (1 ½) spaces for each dwelling unit
Four or more dwelling units	Two (2) spaces for each dwelling unit
University owned or leased housing, fraternities and sororities	One (1) space for each three (3) occupants calculated on the designed capacity of the building
Hotels and motels	One (1) space for each rental unit, plus one (1) space for each employee on the maximum work shift, plus such spaces as required by this Resolution for restaurants, assembly rooms and affiliated facilities
Housing for the elderly	One (1) space for each two (2) dwelling units
Rooming houses	One (1) space for each two (2) roomers or boarders based on the designed capacity of the building plus two (2) spaces for a resident owner or resident manger

<b>GROUP #2 BUSINESS AND COMMERCIAL</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
All businesses and commercial establishments, except those specified hereafter	One (1) space for each 300 square feet of floor area
Retail stores	One (1) space for each 250 square feet of floor area
Barber shops, beauty parlors, or similar personal services	Two (2) spaces per chair
Eating places	One (1) space for each 100 square feet of floor area with a minimum of fifteen (15) spaces for eating places (drive-in) and ten (10) spaces for eating places (carry-out)
Automobile service stations	Six (6) spaces, plus one (1) for each employee on the largest shift, except that station which primarily dispenses only petroleum products and has no under-roof facilities for the regular servicing of motor vehicles, will require only two (2) spaces, plus one (1) for each employee on the largest shift
Furniture stores, appliance stores, automobile salesrooms and new and used car lots	One (1) space for each 1,000 square feet of enclosed floor area and one (1) space for each 3,000 square feet of open lot area devoted to the sale and display of motor vehicles
Laundromats	One (1) space for each two (2) washing or cleaning machines
Private clubs and lodges	One (1) space for each member of the staff, plus one (1) space for each three (3) club members, plus one (1) space for each room which can be used to provide lodging accommodations for members or their guests

<b>GROUP #3 OFFICE</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
Administrative or business office	One (1) space for each 300 square feet of floor area

<b>GROUP #4 MEDICAL AND HEALTH</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
Dental clinics and offices	Two (2) spaces for each examination or treatment room, plus one (1) space for each dentist and other employee(s)
Medical clinics and offices	Three (3) spaces for each examination or treatment room, plus one (1) space for each doctor and other employee(s)
Hospital or similar medical facility	One (1) space for each hospital bed, plus one (1) space for each two (2) employees and staff on the combined major work shifts
Nursing home, rest home and convalescent home	One (1) space for each two (2) beds
Funeral home	One (1) space for each 50 square feet of floor area in public rooms, plus one (1) space for each vehicle maintained on the premises, plus one (1) space for each employee

<b>GROUP #5 EDUCATION</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
Elementary schools, junior high schools, public or private	One (1) space for every thirty (30) classroom seats, one (1) space for each teacher or other employee in addition to the requirements of an auditorium
High schools, public or private	One (1) space for each six (6) students based on the design capacity of the building, one (1) space for each teacher or other employee, plus the requirements for an auditorium
Nursery or child care center	Two (2) spaces, plus one (1) space for each staff member
Colleges and universities	One (1) space for each five (5) classroom seats, plus one (1) space for each three (3) seats in an auditorium
Trade or commercial schools	One (1) space for each student, based on the design capacity of the building, plus one (1) space for each teacher or other employee
Libraries, museums, art galleries and other public buildings	One (1) space for each 300 square feet of floor area.

<b>GROUP #6 RECREATION AND RELIGION</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
Churches, chapels, temples, synagogues, auditoriums, gymnasiums, stadiums, and other places of public assembly	One (1) space for each three (3) seats or six (6) feet of benches
Theaters	One (1) space for each two seats
Assembly halls, exhibition halls, or rooms without seats	One (1) space for each fifty (50) square feet of floor area
Golf courses, swimming pools or similar places	One (1) space for each three (3) patrons the establishment is designed to serve
Enclosed place of amusement or recreation or similar place of assembly	One (1) space for each one hundred (100) square feet of floor area devoted to assembly
Bowling establishments	Five (5) spaces for each bowling lane, plus such additional space as may be required for affiliated uses.

<b>GROUP #7 INDUSTRY</b>	
<b>Use</b>	<b>Number of Spaces Required</b>
Manufacturing, warehousing, wholesaling, or similar establishments	Five (5) plus one (1) for every one and one-half (1 ½) employees in the largest working shift, plus one (1) for every vehicle maintained on the premises. Space on the site shall also be provided for all construction workers during periods of construction.

### **Section 3303 Off-Street Parking Standards**

#### **3303.01 General**

##### **A. Utilization**

Required off-street parking facilities as listed in Section 3302 shall be solely for the repairing of motor vehicles in operating condition, of patrons, occupants, or employees of such uses.

##### **B. Size**

A required off-street parking space shall be at least ten (10) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, columns, office or work areas.

C. Access

Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Such aisle or driveway shall not be used for the parking of other vehicles, except that the driveway of a single family residence may be counted as one (1) parking space.

D. Required Yards

Structures and buildings containing off-street parking shall be subject to the yard requirements applicable in the district in which located. Off-street parking areas open to the sky may be located on any yard, except that:

1. In any "R" or "OR-1" District, off-street parking shall not be located in any required set backs.
2. In any "R", "OR-1" or "B-1" District on a corner lot devoted to a residential use, the off-street parking shall not be located closer to the side lot line bounding a street than the minimum side yard width prescribed by the development standards for the district.
3. If a lot is devoted to a non-residential use and if its front lot line, side lot line, or rear lot line separates the lot from a lot in a Residential District, the off-street parking facilities located thereon shall not be closer to such lot line than the minimum front yard depth, side yard width, or rear yard depth prescribed by the development standard for the district.

E. Location

All required parking spaces shall be located as follows:

1. In an "R", "OR-1" or "B-1" District on the same lot as the building or use served, or a contiguous parcel, or within three hundred (300) feet of the nearest point of the principal structure.
2. In a Business District (except a "B-1" District) on the same lot as the building or use served, or a contiguous parcel, or within four hundred (400) feet of the principal structure.
3. In any Industrial District on the same lot as the building or use served, or a contiguous parcel or within one thousand (1,000) feet of the nearest point of the principal structures; provided, however, that no off-street parking facilities for a

This section shall not apply to:

1. Any vehicle stored in an enclosed building.
2. Licensed junk yards or scrap metal processing facilities per Ohio Revised Code, Section 4737.05 to Section 4734.12.
3. Collector's vehicles which bear a current validation sticker and license plate as described in Section 4503.45 of the Ohio Revised Code.
4. Historical Vehicles which bear a *Historical Vehicle-Ohio* plate as described in Section 4503.181 of the Ohio Revised Code.
5. Road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well drilling machinery, ditch digging machinery, farm machinery, trailers used to transport agricultural produce or agriculture production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five (25) miles per hour or less, threshing machinery, hay baling machinery, corn sheller, hammermill and agricultural tractors and machinery used in the production of horticultural, agricultural, and vegetable products.

C. Procedure

Notification by certified mail that the real property owner or occupants shall have thirty (30) days after the receipt of the letter to either:

1. Remove the vehicle(s) from the premises
2. Store or park said vehicle(s) in an enclosed building, or
3. Meet the standards for an operable vehicle

D. Definitions

**Enclosed Buildings**

Any permanent structure having a roof supported by columns and walls which are opaque.

**In the Open**

Not located in an enclosed building.



**Inoperable Vehicle.**

Unable to pass an Ohio State Highway Patrol safety inspection.

**Motor Vehicle.**

Anything on wheels propelled or drawn by power other than muscular power.



## ARTICLE 34 NOISE

### Section 3401 Method of Measurement

For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer, and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration as from forge hammers, punch presses, and metal. Shears which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer.

Octave band analyzers calibrated in the Preferred Frequencies (American Standards Association S1, 6-1960, Preferred Frequencies for Acoustical Measurements) shall be used with Table I (A-D). Octave band analyzers calibrated with pre-1960 Octave band (American Standards Association 224-10-1953, Octave Band Filter Set) shall use Table II (A through D) in Sections 3304 through 3306, inclusive. For impact sounds measured with the impact noise analyzer, the sound pressure levels set forth in Tables I and II (A through D) may be increased by six (6) decibels in each octave band.

### Section 3402 Exemptions

The following uses and activities shall be exempt from the noise level regulations:

- A. Noises not directly under the control of the property users.
- B. Noises emanating from construction and maintenance activities between 7:00 A.M. and 9:00 P.M.
- C. The noises of safety signals, warning devices, and emergency pressure relief valves.
- D. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

### Section 3403 Required Performance Level

No operation or activity shall cause or create noise in excess of the sound levels prescribed herewith.

Section 3404 Standards in the "B-1" Through "B-4" Business Districts and "I-1" Light Industrial District

A. At the District Boundaries

In the "B-1" through "B-4" and the "I-1" Districts at no point or beyond the boundary of the Zoning District shall the sound pressure level resulting from any use, operation or activity exceed the maximum permitted sound levels as set forth in Tables I A and II A.

**Table I A, Preferred Frequencies**

<b>Center Frequency Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
31.5	65
63.0	67
125.0	66
250.0	59
500.0	52
1,000.0	46
2,000.0	37
4,000.0	26
8,000.0	17

**Table II A, Pre-1960 Octave Bands**

<b>Octave Band Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
20-75	67
75 – 150	66
150 – 300	61
300 – 600	54
600 – 1200	47
1200 – 2400	39
2400 – 4800	29
4800 – 10 KC	20

B. At Lot Lines

In the "B-1" through "B-4" and the "I-1" Districts, at no point on or beyond the boundary of a lot, shall the sound pressure level exceed the maximum permitted decibel levels for the designated octave bands as set forth in Tables I B and II B.

**Table I B, Preferred Frequencies**

<b>Center Frequency Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
31.5	76
63.0	74
125.0	68
250.0	63
500.0	57
1,000.0	52
2,000.0	45
4,000.0	38
8,000.0	32

**Table II B, Pre-1960 Octave Bands**

<b>Octave Band Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
20 – 75	75
75 – 150	70
150 – 300	64
300 – 600	59
600 – 1200	53
1200 – 2400	47
2400 – 4800	40
4800 – 10 KC	34

**Section 3405 Standards in the “I-2” General Industrial District and “PD-4” Planned Industrial Park District**

In the “I-2” and the “PD-4” Districts at no point on or beyond the boundary of the Zoning District, shall the sound pressure level resulting from any use, operation or activity exceed the maximum permitted sound levels as set forth in Tables I C and II C .

**Table I C, Preferred Frequencies**

<b>Center Frequency Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
31.5	76
63.0	74
125.0	68
250.0	63
500.0	57
1,000.0	52
2,000.0	45
4,000.0	38
8,000.0	32

**Table II C, Pre-1960 Octave Bands**

<b>Octave Band Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
20 – 75	75
75 – 150	70
150 – 300	64
300 – 600	59
600 – 1200	53
1200 – 2400	47
2400 – 4800	40
4800 – 10 KC	34

**Section 3406 Standards in the "I-3" Heavy Industrial District**

In the "I-3" District at no point on or beyond the boundary of the Zoning District, shall the sound pressure level resulting from any use, operation, or activity exceed the maximum permitted sound levels as set forth in Tables I D and II D.

**Table I D, Preferred Frequencies**

<b>Center Frequency Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
31.5	90
63.0	81
125.0	71
250.0	66
500.0	61
2,000.0	52
4,000.0	50
8,000.0	47

**Table II D, Pre-1960 Octave Bands**

<b>Octave Band Cycles per Second</b>	<b>Maximum Permitted Sound Pressure Level, Decibels</b>
20 – 75	83
75 – 150	74
150 – 300	67
300 – 600	62
600 – 1200	57
1200 – 2400	53
2400 – 4800	51
4800 – 10 KC	48

Between the hours of 9:00 P.M. and 7:00 A.M., the sound levels shall not exceed the maximum permitted sound pressure levels prescribed for the "I-2" and the "PD-4 Districts in Section 3305.

**ARTICLE 35**  
**GOLF COURSES, SWIMMING POOLS,**  
**TENNIS COURTS, MINIATURE GOLF**  
**COURSES, DRIVING RANGES, AND**  
**OTHER SIMILAR RECREATIONAL USES**

**Section 3501 Required Conditions**

- A. All swimming pools (both above-ground and in-ground) are required to be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.
- B. Loud speakers, juke boxes, public address systems and electric amplifiers shall be permitted, if the use of same is for the occupants of the building only within which such equipment is installed, and does not create a nuisance and disturb the peace of the other persons or properties in this or any other District.
- C. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property or upon any public street. All outdoor lighting shall be directed toward and confined to the ground areas or lawns or parking areas
- D. Gun Clubs: The firing line shall be a distance of at least five hundred (500) feet from all residential property lines.
- E. In all zoning other than "A" only four dogs over six months old per household will be allowed before a kennel license is required. Kennels are in a B-3 zoning conditional use.





<p style="text-align: center;"><b>ARTICLE 36</b> <b>RESIDENTIAL CONDOMINIUM</b> <b>REGULATIONS</b></p>
--

- A. The development shall have safe and adequate access to a public street as determined by the County Engineer for county and township roads and the Ohio Department of Transportation for state and federal highways.
- B. A traffic impact statement shall be provided at an adequate level of detail to assess the effect of the development on adjacent streets.
- C. In every case, the uses shall be provided with public water and sewer systems approved by the Ohio EPA or County Health Department.
- D. Development Plans shall be submitted with the application for a Zoning Certificate to the Township for every condominium property which shows the particulars of the site, proposed buildings and other improvements, including the layout of the interior streets, drives, and parking areas, the layout, location, designation, and dimensions of each unit, the layout and details of the water and sewer property, the layout and details of the soil erosion and storm water runoff control facilities proposed, and the location and dimensions of any existing or proposed easements. The name, registration numbers, and address of the design professional preparing such plans shall be clearly indicated thereon.
- E. Approval shall be based on the Development Plan as submitted after review and approval by each of the related agencies, such as the County Engineer, Soil Conservation Office and Utilities Department.



**ARTICLE 37  
USES NOT OTHERWISE INCLUDED  
WITHIN A SPECIFIC USE DISTRICT**

**Section 3700 Intent**

Because the uses hereinafter referred to possess unique characteristics making it impractical to include them in a Specific Use District classification, they may be permitted by the Township Board of Zoning Appeals as Conditional Uses as follows:

**Section 3701 Outdoor Theaters**

Because outdoor theaters possess the unique characteristics of being used only after darkness and since they develop a concentration of vehicular traffic in terms of ingress and egress from their parking area, they shall be permitted in "I-1" Districts only. Outdoor theaters shall further be subject to the following conditions.

- A. The proposed internal design shall receive approval from the Zoning Inspector as to the adequacy of drainage, lighting, and other technical aspects.
- B. Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.
- C. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicles shall be permitted to wait or stand within a dedicated right-of-way.
- D. The area shall be laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within or directed onto the premises of the out-door theater site.

**Section 3702 Commercial Television and Radio Towers and Public Utility Microwaves and Public Utility Television Transmitting Towers**

Radio and television towers, public utility television transmitting towers, and their attendant facilities shall be permitted in "I-1" and "A" Districts except that in "A" Districts, the attendant facilities shall not include production studios and business offices. In both Districts said use shall be located centrally on a continuous parcel of not less than one and one-half (1 ½) times the height of the tower measured from the base of said tower to all points of each property line.

### **Section 3703 Airports and Related Uses**

Airports, landing fields, and platforms, hangers, masts, and other facilities for the operation of aircraft may be permitted in "A" and "R-1" Districts and shall be subject to the following conditions:

- A. The plans for such facility shall have received approval by the Federal Aviation Agency and the Ohio Department of Commerce, Division of Aviation, prior to being submitted to the Township Board for their review and approval.

### **Section 3704 Oil and Gas Wells**

In the "A", "I-1" and "I-2" Districts, a well may be drilled for the exploration for, or production of natural oil or gas.

#### **3704.01**

An application, accompanied by a fee as established by Resolution of the Township Trustees, for a drilling permit shall be filed with the Zoning Inspector setting forth:

- A. The location of the proposed well on a map (1" = 200') drawn by a registered engineer or land surveyor that further shows:
  - 1. The location of all property lines bordering the proposed well site.
  - 2. The location and use of each structure within three hundred (300) feet of the proposed well site.
  - 3. The location of all underground public and private utility or drainage lines or facilities within one hundred (100) feet of the proposed well site.
  - 4. The location of all public easements and rights-of-way within three hundred (300) feet of the proposed well site.

#### **3704.02 Required Conditions**

- A. No well shall be located within two hundred (200) feet of any lot in any "R" District.
- B. No well shall be located within fifty (50) feet of any property line except as allowed under the provisions of voluntary pooling as set forth by the regulations of the Department of Industrial Relations Division of Mines.
- C. No well shall be located within three hundred (300) feet of any school, church, hospital or other structure used for public assembly.

- D. Other fire, health, and safety standards shall be reviewed and a determination made that, as set forth in the drilling permit or as conditions to its approval, adequate precautions have been provided. Such conditions may control the hours of operation of such drilling operations, the mode of transportation used at the well site, the location and type of waste disposal pits or tanks, the location and type of disposal of waste gases, the location and housing of proposed internal combustion or towers, the location and size of electric lights, the protection of the site from the public view and any other reasonable standards related to the protection of the public health, safety, and welfare.

#### **3704.03**

If during the drilling operation, the conditions set forth in the drilling permit application or the conditions set forth by the Board prior to its approval are violated, the Zoning Inspector shall report such actions to the Board which, if it concurs, may cancel the permit. If said permit is canceled and any drilling operations are continued thereafter, the same shall be a violation of the Zoning Regulations and subject to the penalties as provided herein under Article 38 and in Sub-section 519.99 of the Revised Code of Ohio.

#### **3704.04**

The Board may determine the amount of time for which a permit is valid, but in no case shall a permit exceed twenty-four (24) months. Before a permit becomes invalid, the applicant shall submit either:

- A. A well closing report stating the manner in which the well has been abandoned and sealed, which must be accepted by the Board and Township Trustees which shall demonstrate that the site has been restored to its previous condition insofar as such is desirable and possible and the well sealed so as to be impervious through the level of the water table, or:
- B. A well production plan enlarging upon and supplementing the Drilling Permit Application in regard to the proposed location and character of pumps and pump housing, the proposed location of storage tanks, their size and type, the proposed landscaping, fencing and screening of the well site and the pipes or lines, all of which shall be subject to approval by the Board on the basis of being compatible with the vicinity.

### **Section 3705 Refuse (Solid Waste) Disposal Sites**

Refuse disposal sites should be located in accordance with a county-wide disposal plan based on population and land use forecasting. Preferably, a single, centrally located, county incinerator should be construed and all other dumps and sanitary land fill operations discontinued. This method

is working in several nearby counties. However, until such an incinerator is approved, additional sanitary land fill operations may be allowed in "A" and "I-3" Districts.

### **3705.01 Application, Review, and Permit Renewal Procedure**

Applications for a sanitary land fill permit shall be filed with the Zoning Inspector by the owners and lease holders, if any, of the proposed site. Two (2) copies shall be submitted and shall be accompanied by a fee as established by Resolution of the Township Board of Trustees. A permit for the land fill shall be issued for a one (1) year period by the Trustees after recommendation by the Board of Zoning Appeals. Unless the owner of the petition ignores and/or violates the conditions of the permit, it will be renewed automatically for one (1) year periods. Applications for sanitary land fill permits shall include the following:

- A. The location of the proposed land fill on a map (1" = 100') drawn by a registered engineer or land surveyor that shows the following:
  - 1. The location of all property lines bordering the proposed land fill site.
  - 2. The location and use of each structure within three hundred (300) feet of the proposed land fill site.
  - 3. The location of all underground public and private utility or drainage lines or facilities within one hundred (100) feet of the proposed land fill site.
  - 4. The location of all public easements and right-of-ways within three hundred (300) feet of the proposed land fill site.
  - 5. The location, size, and population served by other sanitary land fill sites in and adjacent to Springfield Township. A standard of approximately four (4) acres of sanitary land fill per ten thousand (10,000) population shall be used by the Township.
  - 6. Soil borings (one per acre) of the proposed land fill site.
  - 7. Method of rehabilitation and reclamation of the land fill site, including a grading plan showing existing contours of the site and the proposed future contours showing the topography of the area after completion. Such plan shall include the surrounding area within five hundred (500) feet of the land fill property line, drawn with contour lines at intervals of five (5) feet or less.

### **3705.02 Required Conditions**

- A. No land fill shall be located within two hundred (200) feet of any "R" Residential District.
- B. The Required Conditions of Section 1805 shall apply to all approved land fill sites.
- C. Other fire, safety, and health standards shall be reviewed and a determination made that, as set forth in the land fill permit or as a condition to its approval, adequate precautions have been provided. Such conditions may control the hours of operation, the location and intensity of electric lights, the location of structures on the site, the protection of the site from the public view and any other reasonable standards related to the protection of the public health, safety or general welfare.
- D. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in a dust-free condition by surfacing or other treatment as may be specified by the Board.





## **ARTICLE 38**

### **ENFORCEMENT PENALTIES**

#### **Section 3801 Enforcement by the Zoning Inspector**

There is hereby established the Office of Township Zoning Inspector. The Board of Township Trustees, after reviewing recommendations from the Township Zoning Commission shall appoint a Township Zoning Inspector together with such assistants as the Board deems necessary, fix the compensation for said position and make disbursement thereof. The Zoning Inspector must be a resident of Springfield Township. It shall be the duty of the Zoning Inspector, as provided under Section 519.02 et. seq. of the Revised Code of the State of Ohio, to enforce this Resolution in accordance with the administrative provisions of this Resolution. All departments, officials, and public employees of Clark County which are vested with the duty or authority to issue a certificate or license shall conform to the provisions of this Resolution and shall issue no certificate or license for any use, building, or purpose, if the same is in conflict with the provisions of this Resolution. Any certificate or license, issued in conflict with the provisions of this Resolution, shall be null and void.

#### **Section 3802 Zoning Certificates**

Until a Zoning Certificate has been obtained from the Zoning Inspector:

- A. The construction, building, moving, remodeling or reconstruction of any building or structure shall not be commenced.
- B. The improvement of land preliminary to any use of such land shall not be commenced.
- C. The use of land, buildings or structures for temporary and accessory uses and home occupations shall not be commenced.
- D. A certificate pertaining to the temporary or permanent use of land, buildings or structures shall not be issued by any official, officer, employee, department, or Board of Springfield Township or Clark County.

##### **3802.01 Application for Zoning Certificate**

Each application for a Zoning Certificate shall be accompanied by a plan in duplicate drawn to a scale, one (1) copy of which shall be returned to the owner upon approval or disapproval. The plan shall show the following:

- A. The actual dimensions of the lot including easement.

- B. The exact size and location of all buildings existing on the lot.
- C. The proposed new construction
- D. The existing and intended use of all parts of the land or buildings.
- E. Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.

#### **3802.02 Issuance of Zoning Certificate**

Zoning Certificates shall normally be issued or refusal thereof given within twenty (20) working days after the date of application. Written notice of such refusal and reason thereof shall be given to the applicant.

#### **3802.03**

A Zoning Certificate shall become null and void twelve (12) months after the date on which it is issued unless within such twelve (12) month period construction, building, moving, remodeling, or reconstruction of a building or structure is commenced or use is commenced.

#### **Section 3803 Violations – Remedies**

In case any building is, or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Resolution or any amendments or supplements thereto: The Board of Springfield Township Trustees, the Zoning Inspector, or Building Inspector, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, enlargement, change, maintenance or use.

#### **Section 3804 Violations and Penalties**

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of County Commissioners of Clark County under Section 519.02 et. Seq. Of the Revised Code of the State of Ohio. Any person, firm, or corporation, violating any regulation in, or any provision of this Resolution, or guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred dollars (\$100). Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance of use continues, shall be deemed a separate offense.

## **Section 3805 Fees**

Any application under this Resolution for Site Plan Review, a Zoning Certificate or Permit, Variance, Conditional Use Permit, Sign Permit, Planned Development, Amendment or Filing of a Motion of Appeal shall be accompanied by such fee as shall be specified from time to time by Resolution of the Board of Springfield Township Trustees. There shall be no fee, however, in case of applications filed by the Board of Springfield Township Trustees or the Springfield Township Zoning Commission.

The fees shall be in addition to the regular building permit fees and any other fees which may be imposed under applicable resolution of Springfield Township or Clark County. The fees imposed by this Resolution are only intended to defer in part the costs involved in such application such as publishing and/or posting, and mailing the notice of the hearing or hearings. Such fees are not refundable regardless of the outcome of the application.



# **CHAPTER V**

## **ADMINISTRATION AND ENFORCEMENT**



## **ARTICLE 39**

### **BOARD OF ZONING APPEALS**

#### **Section 3901 Appointment**

##### **3901.01 Establishment**

A Board of Zoning Appeals for Springfield Township is hereby created. Such Board shall consist of five (5) members, to be appointed by the Board of Township Trustees, who shall be residents of the unincorporated territory of Springfield Township included in this Zoning Plan. The terms of all members shall be of such length and arranged that the term of one (1) member shall expire each year. Each member shall serve until his successor is appointed and qualified.

##### **3901.02 Removal**

Members of the Board shall be removable for nonperformance of duty, misconduct in office, or other cause by the Board of Township Trustees upon written charges having been filed with the Trustees and after a public hearing has been held regarding such charges. A copy of the charges having been served upon the member so charged at least ten (10) days prior to the hearing, either personally or by registered mail, or by leaving the same at their usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term

#### **Section 3902 Organization**

The Board of Zoning Appeals shall organize and adopt rules in accordance with the provisions of this Zoning Resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public.

The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Board of Township Trustees and shall be a public record. A copy of the decision for each case shall be given to the applicant, and the Springfield Township Commission.

Three (3) members of the Board shall constitute a quorum. The Board shall act by resolution, and the concurring vote of three (3) members of the Board shall be necessary to reverse an order or determination of the Zoning Inspector, or to decide in favor of any applicant in any matter over which the Board has original jurisdiction under this Resolution, or to grant any variance from the requirements stipulated in this Resolution.

### **Section 3903 Jurisdiction**

The Board of Zoning Appeals shall have the following jurisdiction:

A. Administrative Appeal

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Zoning Resolution.

B. Variances

1. Variances on Lots

To authorize, upon appeal, in specific cases, such variance from the terms of this Zoning Resolution as will not be contrary to the public interest, where owing to special conditions of the land (i.e., an irregular shaped lot having the required area; a lot of exceptional topography; or an exceptionally narrow, shallow, or irregular lot existing and of record at the time of the passage of this Zoning Resolution), a literal enforcement of the provisions of this Zoning Resolution will result in unnecessary hardship. In granting such variance, the Board of Zoning Appeals shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the Zoning District in conformity with this Zoning Resolution.

2. Variances on existing buildings and structures

To grant the projection of a building or structure existing at the time of the adoption of this Resolution into a required yard to secure an addition to the building or structure and arrangement. Such projection shall not exceed one-third (1/3) of the required depth or width of the required yard. In granting such variance, the Board of Zoning Appeals shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the Zoning District in conformity with this Zoning Resolution.

**This Section shall be construed to permit variances which shall in effect amend the use provisions in this Zoning Resolution.**



C. Conditional Use

To grant Conditional Zoning Certificates for the use of land, buildings, or other structures, if such certificate for specific uses are provided for in the Zoning Resolution.

D. Non-Conforming Uses

Non-Conforming Uses as provided in Article 26 of this Resolution.

**Section 3904 Procedure for Administrative Appeal**

**3904.01 Authorization**

An appeal from a decision of the Zoning Inspector with respect to the interpretation or application of this Resolution, may be taken to the Board of Zoning Appeals by any person aggrieved, or his agent, or by any officer of the county affected by such decision of the Zoning Inspector.

**3904.02 Notice of Appeal**

Appeals to the Board shall be filed within twenty (20) days after the decision of the Zoning Inspector by filing a written notice of appeal with the Zoning Inspector and with the Board of Zoning Appeals.

The Notice of Appeal shall specify the grounds for such appeal. Upon receipt of a Notice of Appeal, the Zoning Inspector shall forthwith transmit to the Board all of the papers constituting the record upon which the decision being appealed was based.

**3904.03 Hearing on Appeal**

The Board shall select a reasonable time and place for the hearing of an appeal, which shall be held not less than fifteen (15) nor more than seventy (70) days after receipt of the application; give at least ten (10) days written notice thereof to the owners of property within three hundred (300) feet of the applicant's property, as they shall appear on the Notice of Appeal.

In addition, public notice of such hearings as to the time, place, date and subject of the hearing, shall be published in a newspaper of general circulation at least ten (10) days prior to the date of the hearing. Any party in interest may appear and be heard at the hearing in person, by agent, or by attorney.

**3904.04 Decision on Appeals**

The Board shall have all the powers of the Zoning Inspector with respect to such decision. The concurring vote of a majority of the members of the Board shall be necessary to reverse or modify any decision of the Zoning Inspector under this Resolution. The Board shall render a written

decision on the application without unreasonable delay after the close of a hearing, and in all cases within thirty (30) days after the close of the hearing. A copy of the decision and finding of fact shall be sent to the applicant, the Board of Trustees and the Zoning Commission.

## **Section 3905 Procedure for Obtaining a Variance**

### **A. Nature of Variance**

A variance is permission to deviate in a specific manner from the terms of the Zoning Resolution, where, owing to special conditions of the land itself, a literal enforcement of the provisions of this Zoning Resolution will result in unnecessary hardship and provided that only deviations from development standards shall be permitted.

### **3905.01 Authorization**

The Board of Zoning Appeals may authorize variances from the terms of this Resolution as stated in Sub-section 3903 B, when the Board has made findings of fact, based upon the standards set out in Sub-section 3905.02 of this Resolution.

### **3905.02 Application for Variance**

An application for a Variance, together with an Application for a Zoning Certificate shall be filed with the Zoning Inspector, who shall forward without delay a copy of each to the Secretary of the Board. The application shall contain the following.

#### **A. Description of Property and Nature of Variance**

1. The nature of the variance, i.e., including the specific provisions of the Zoning Resolution from which the variance is requested.
2. A description sufficient to identify the property, including a reference of the volume and page of the last recorded deed.
3. A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the Zoning District.
4. A statement showing that the special conditions and circumstances do not result from the actions of the applicant.
5. A statement showing that the granting of the application is necessary to the preservation and enjoyment of substantial property rights.

6. Such other information regarding the appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.

**B. Plot Plant**

The application shall be accompanied by three (3) copies of a plot plan drawn to an appropriate scale showing the following:

1. The boundaries and dimensions of the lot.
2. The size and location of existing and proposed structures.
3. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces and landscaping.
4. The relationship of the requested variance to the standards set by the Zoning Resolution.
5. The use of land and location of structures on adjacent property.

**3905.03 Information for Zoning Commission**

The Zoning Inspector shall file one (1) copy of the application and plot plan with the County Rural Zoning Commission within three (3) days after the filing of such application by the applicant, for informational purpose.

**3905.04 Hearing on Variance**

A hearing on the application shall be held by the Board and Notice thereof given, as specified under Section 3904.07 of this Resolution.

**3905.05 Standards for Variances**

The Board shall not grant a Variance unless it shall, in each specific case, make specific findings of fact directly based upon the particular evidence presented to it, that support conclusions that:

- A. The variance requested arises from special conditions, of, or involving, the property which are unique, or that is a situation which is not ordinarily found in the same zoning district and that the situation results from the enforcement of this Resolution and not by an action or actions of the property owner, the applicant, or any other person or party who has control of the property.
- B. The strict application of the provisions of this Resolution from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

**ARTICLE 40  
TOWNSHIP ZONING COMMISSION  
DISTRICT CHANGES AND RESOLUTION  
AMENDMENTS**

**Section 4001 Township Zoning Commission**

**4001.01 Organization**

The Board of Township Trustees of Springfield Township proceeding under Section 519.01 to 519.99 inclusive of the Ohio Revised Code, shall create and establish a Township Zoning Commission. The Commission shall be composed of five (5) members who reside in the unincorporated area of the Township, included within this Zoning Plan, to be appointed by the Board of Township Trustees and the terms of the members shall be of such length and so arranged that the term of one (1) member will expire each year. The Board of Township Trustees may appoint a member of either the County Regional Planning Commission to serve on the Township Zoning Commission.

**4001.02 Removal**

Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable in accordance with Section 519.04 of the Ohio Revised Code (see Section 3901 of this Resolution).

**Section 4002 District Changes and Resolution Amendments**

Amendments or supplements to the Zoning Resolution shall be effected as provided by Section 519.02 et. Seq. of the Revised Code of the State of Ohio.

**4002.01 Procedure for District Changes**

Applications for amendments to the Zoning Plan shall be filed in accordance with the filing procedures adopted by the Springfield Township Zoning Commission adapted from Chapter 519.12 Ohio Revised Code and summarized as follows:

- A. An amendment, supplement, reclassification, or change may be initiated by the Township Zoning Commission or Board of Township Trustees on its own motion or by a verified application of one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by this Resolution.



# ARTICLE 41

## LAND USE INTENSITY

### Section 4101 Land Use Intensity Scale

The Land Use Intensity (LUI) Scale provides a series of density ratings which include floor area, open space, living space, and recreation space for all dwellings and lodging uses as regulated in the Planned Residential District of this Resolution. The Land Use Intensity Scale has ranges from LUI 3.0 to LUI 8.0 and is expressed in ratios as follows:

Land Use Intensity Rating	Floor Area Ratio	Open Space Ratio	Living Space Ratio	Recreation Space Ratio
LUI	FAR	OSR	LSR	RSR
3.0	.100	8.0	6.5	.25
3.1	.107	7.4	5.8	.24
3.2	.115	6.9	5.2	.23
3.3	.123	6.4	4.7	.23
3.4	.132	5.9	4.2	.22
3.5	.141	5.5	3.8	.21
3.6	.152	5.1	3.5	.20
3.7	.162	4.8	3.3	.20
3.8	.174	4.4	3.0	.19
3.9	.187	4.2	2.8	.19
4.0	.200	3.8	2.6	.18
4.1	.214	3.6	2.4	.18
4.2	.230	3.3	2.2	.17
4.3	.246	3.0	2.0	.16
4.4	.264	2.8	1.8	.16
4.5	.283	2.6	1.7	.15
4.6	.303	2.4	1.5	.15
4.7	.325	2.2	1.4	.14
4.8	.348	2.1	1.3	.14
4.9	.373	1.9	1.2	.14
5.0	.400	1.8	1.1	.13
5.1	.429	1.7	1.0	.13
5.2	.459	1.6	.91	.12
5.3	.492	1.5	.84	.12
5.4	.528	1.4	.77	.12
5.5	.566	1.3	.71	.11
5.6	.606	1.2	.66	.11
5.7	.650	1.1	.61	.10
5.8	.696	1.0	.57	.10

Land Use Intensity Rating	Floor Area Ratio	Open Space Ratio	Living Space Ratio	Recreation Space Ratio
LUI	FAR	OSR	LSR	RSR
5.9	.746	.91	.53	.10
6.0	.800	.85	.50	.10
6.1	.857	.80	.46	.09
6.2	.919	.74	.43	.09
6.3	.985	.70	.40	.09
6.4	1.06	.65	.38	.08
6.5	1.13	.60	.36	.08
6.6	1.21	.56	.34	.08
6.7	1.30	.52	.32	.08
6.8	1.39	.49	.30	.07
6.9	1.49	.46	.29	.07
7.0	1.60	.43	.27	.07
7.1	1.72	.40	.26	.07
7.2	1.84	.38	.25	.06
7.3	1.97	.36	.24	.06
7.4	2.11	.34	.23	.06
7.5	2.26	.32	.22	.06
7.6	2.42	.31	.21	.06
7.7	2.60	.30	.20	.06
7.8	2.79	.29	.20	.05
7.9	2.99	.28	.19	.05
8.0	3.20	.27	.19	.05

#### **Section 4102 Application of Land Use Intensity (LUI)**

A. The purpose of land use intensity is to relate land area and open space to each other. In applying land use intensity, the floor area ratio creates a maximum use of building in relation to land area and the open space requirements based upon and computed from the actual floor area developed on a zoning lot. Where accessory or mixed uses are involved, the open space requirement shall be based on floor area other than that used for commercial purposes. Recreation Space (RS) may be a part of Living Space (LS) and Living Space a part of Open Space (OS). The following is an application of the ratios expressed in the foregoing section:

1. Floor Area Ratio (FAR). The ratio of floor area (FA) to land area (LA) expressed as a percent or decimal. Floor Area Ratio (FAR) X Land Area (LA) = maximum permitted floor area.
2. Open Space Ratio (OSA). The ratio of open space (OS) to floor area (FA) that has been developed, expressed as a percent or decimal. Living space ratio (LSR) X floor area



(FA) = minimum required living space which may be part of required open space (OS).

3. Living space ratio (LSR). The ratio of living space (LS) to floor area (FA) that has been developed, expressed as a percent or decimal. Living space ratio (LSR) X floor area (FA) = minimum required living space which may be part of required open space (OS).
4. Recreation space ratio (RS). The ratio of recreation space (RS) to floor area (FA) that has been developed expressed as a percent or decimal. Recreation space ratio (RSR) X floor area (FA) – minimum required recreation space which may be part of required living space (LS).

B. In determining land area, floor area, and open space, the following method of computation shall be applicable:

1. Land area. In determining land area, the following shall be included.
  - a. The area of the zoning lot, less any area for which vehicular access has been granted to other properties.
  - b. An area equal to not more than one-half (1/2) of the abutting right-of-way of any public street or alley to which the zoning lot has vehicular access rights. Said abutting right-of-way shall not include freeways, nor easements or private streets in which vehicular rights-of-way to other properties are granted. On lots abutting intersecting streets, the area shall be determined by the center line extensions of the abutting streets connected with the lot line extensions of the zoning lot.
2. Floor area. In determining floor area, the areas of the several floors of a building measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings and all stairways, balconies, and corridors shall be included. The following areas shall be excluded:
  - a. Attic areas with headroom of less than seven (7) feet.
  - b. Storage rooms.
  - c. Elevator hoist machinery.
  - d. Cooling towers.

- e. Areas devoted exclusively to air-conditioning, ventilating and other building machinery and equipment.
  - f. Parking structures.
- 3. Open space. In determining the area of open space, the following shall be included.
  - a. Land area as determined under number (1) less the building area; and
  - b. Useable roof area.
- 4. Living open space. In determining the area of living open space, the following shall be included:
  - a. Land area as determined under number (1) less the building area and less the area used for parking or maneuvering of vehicles; and
  - b. Useable roof area.
- 5. Recreation space. In determining the area of recreation space, open area for both passive and active recreation facilities shall be included, subject, however, to the following conditions:
  - a. If the recreation space requirement is less than 10,000 square feet, the recreation space, other than roof area, shall be located in a contiguous portion of the zoning lot.
  - b. If the recreation space requirement is 10,000 square feet or more, each separate recreation area shall contain at least 10,000 square feet and shall not be less than one hundred (100) feet in least dimensions at any point, except for any space of less than 10,000 square feet constituting the remainder after provision has been made for the 10,000 square foot area or areas. Modification of these areas and dimensional requirements shall be allowed if the shape or topography of the site prevents compliance or if the recreation space consists of useable roof area.

<p style="text-align: center;"><b>ARTICLE 42</b> <b>WHEN EFFECTIVE; REPEAL OF</b> <b>CONFLICTING RESOLUTION; VALIDITY</b></p>
---

**Section 4201 When Effective**

This Resolution shall be in full force and effect on or after May 22, 1974, upon certification by the Clark County Board of Elections. Until such time, the County Zoning Resolution shall be in effect.

Following certification, this Resolution shall be in effect in all portions of Township and provide continuous zoning since it was originally adopted on \_\_\_\_\_.

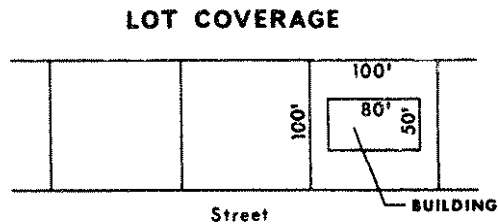
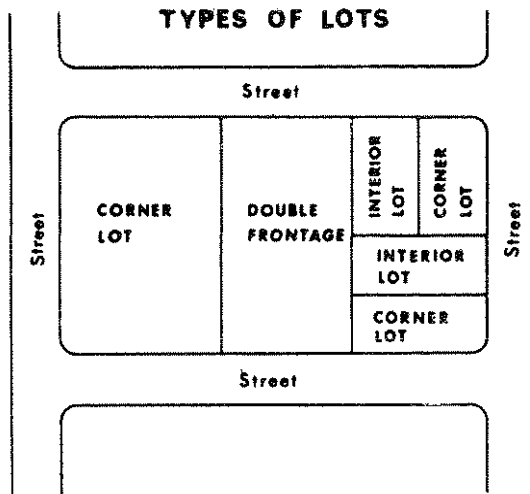
**Section 4202 Repeal of Conflicting Resolution**

The County Zoning Resolution now in effect in Springfield Township, Clark County, Ohio, and in conflict with the Zoning Regulations as they are established herein, is hereby repealed. However, all suits at law or in equity and/or prosecutions resulting from violation of any Zoning Resolution heretofore in effect, which are now pending in any of the Court of the State of Ohio or of the United States, shall not be bated or abandoned by reason of the adoption of this Zoning Resolution; but shall be prosecuted to their finality the same as if this Zoning Resolution had not been adopted; and any and all violations of existing Zoning Resolutions, prosecutions for which have not yet been instituted may be hereafter filed and prosecuted; and nothing in this Zoning Resolution shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

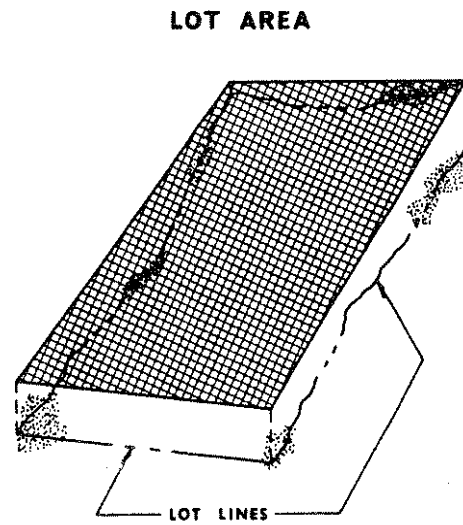
**Section 4203 Validity**

If any article, section, sub-section, paragraph, sentence or phrase of the Resolution is for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

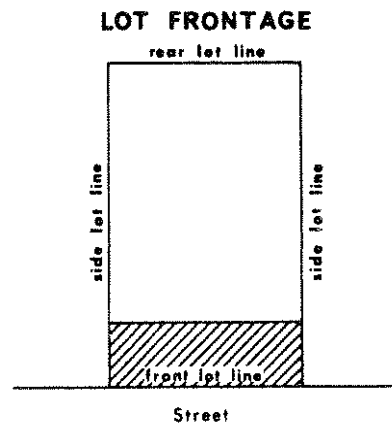
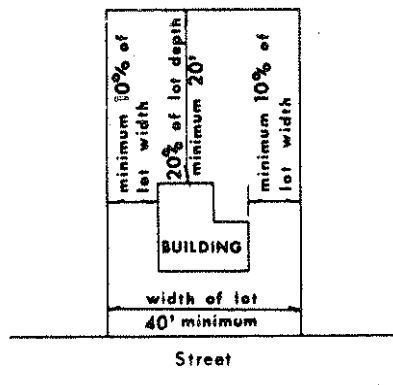
The illustrations contained in this Appendix are provided solely to clarify the intent of textual provisions and are not to be considered a part of the Zoning Resolution for purposes of construction, interpretation or otherwise.



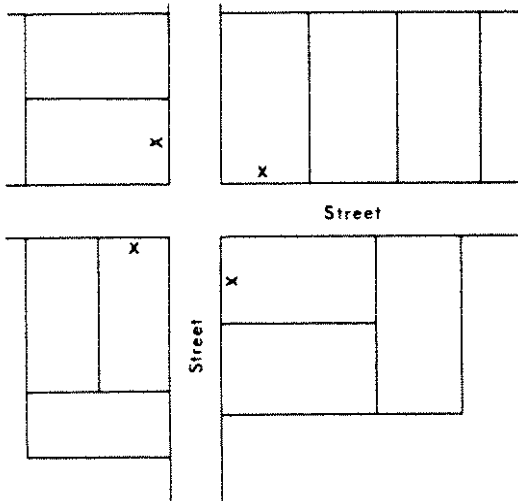
**EXAMPLE:** WHEN LOT AREA EQUALS 10,000 SQUARE FEET AT 40% COVERAGE, BUILDING MAY NOT EXCEED 4,000 SQUARE FEET. OTHER 60% (6,000 SQUARE FEET) OF LOT IS FOR YARDS, PARKING, ETC.



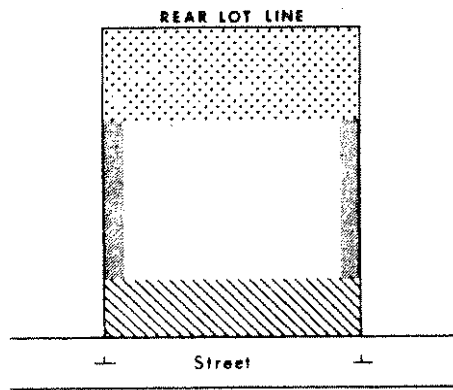
### YARD REQUIREMENTS FOR EXISTING LOT OF RECORD



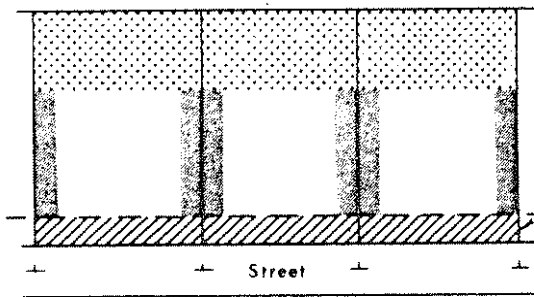
# YARDS AND LOT LINES



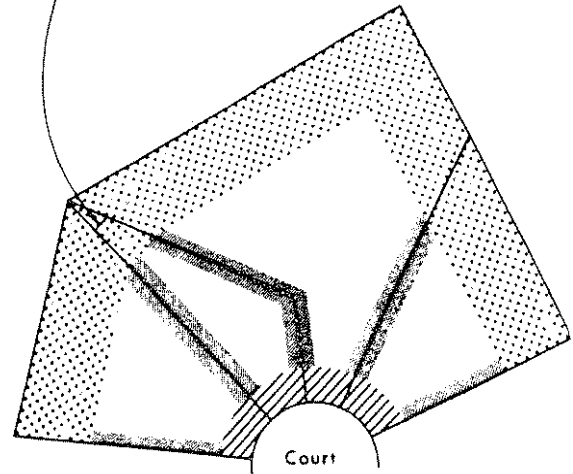
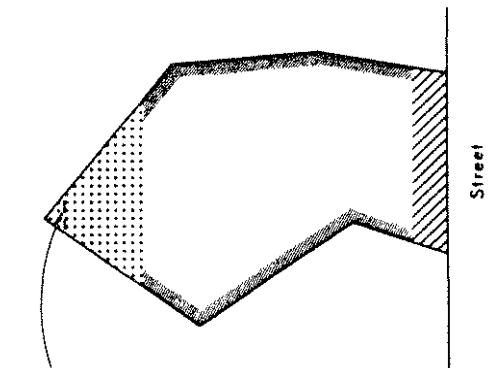
LOT LINE WITH LEAST AMOUNT OF STREET FRONTAGE DETERMINES FRONT YARD.



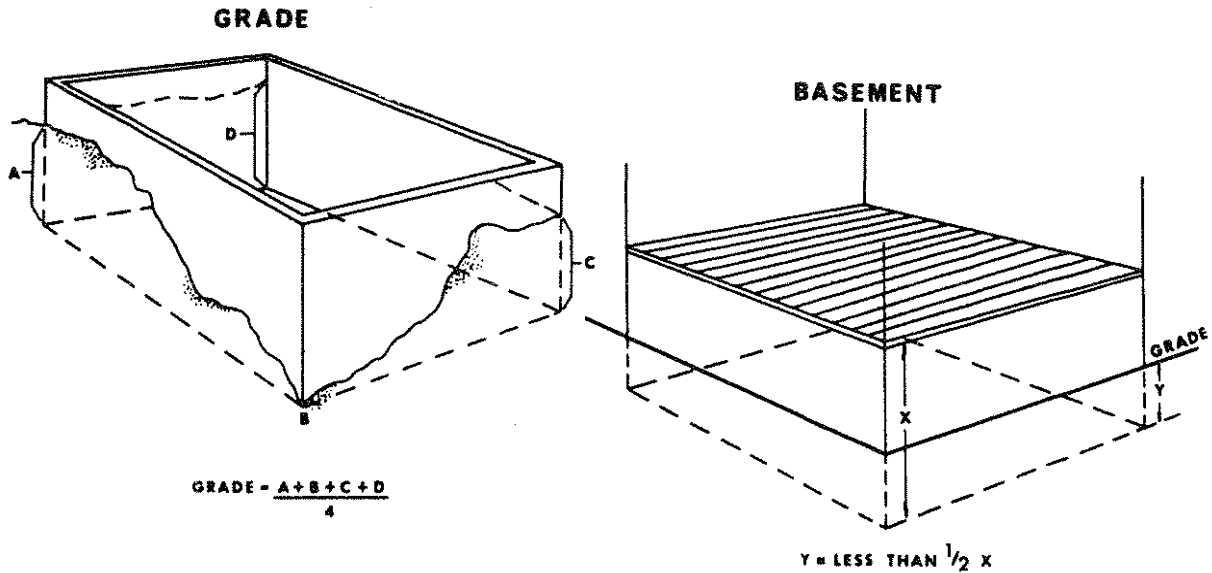
REAR LOT LINE 15' LONG AND PARALLEL TO FRONT LOT LINE.



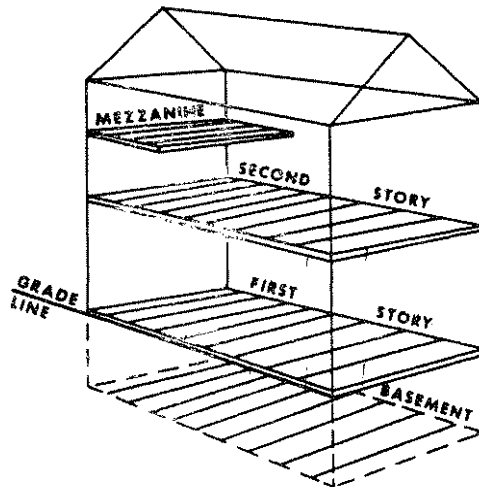
FRONT YARD IS MEASURED FROM RIGHT-OF-WAY LINE.



- KEY**
- FRONT YARD AREA
  - SIDE YARD AREA
  - REAR YARD AREA

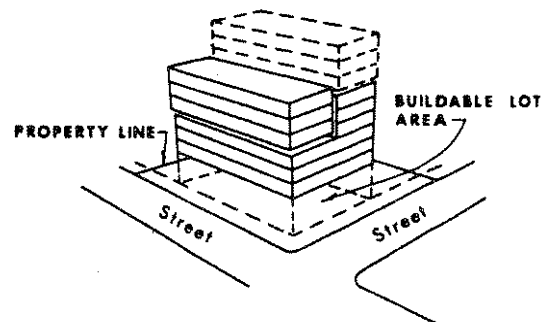


### DETERMINING FLOOR AREA FOR FLOOR AREA RATIO



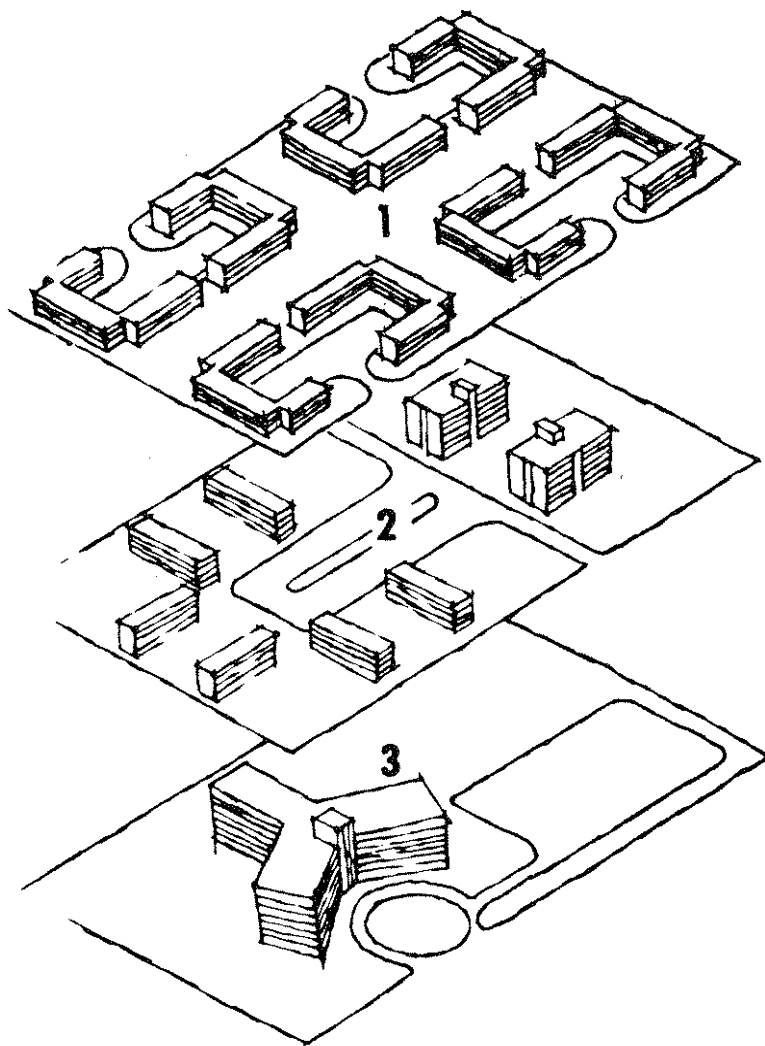
(TO BE MEASURED AS MINIMUM ALLOWABLE)

### FLOOR AREA RATIO



MULTIPLY LOT AREA BY F.A.R. VALUE TO DETERMINE MAXIMUM ALLOWABLE FLOOR AREA FOR ANY GIVEN LOT.  
EXAMPLE: F.A.R. OF 3.0 ON A 10,000 SQUARE FOOT LOT WOULD ALLOW 30,000 SQUARE FEET OF BUILDING AREA.

A CONSTANT FLOOR AREA RATIO ALLOWS AN INCREASE IN HEIGHT WITHOUT INCREASE IN FLOOR AREA.



- 1** 128 TOWNHOUSES
- 2** 2 6-STORY  
6 3-STORY
- 3** 7-STORY

**VARIED BUILDING TYPES IN AN AREA,  
WHILE MAINTAINING A CONSTANT LAND  
USE INTENSITY.**



# LAND USE INTENSITY SCALE

## RANGE OF OPTIMUM USE

